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EAST TIMOR: A DIFFICULT TRANSITION

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1. INTRODUCTION

1.1 The Current Situation

Since the resignation of President Soeharto on 21 May 1998, the question of East Timor, which had seemed irresolvable since Indonesia invaded the territory in 1975 and annexed it the following year, has opened up and a solution looks in sight. Soon after coming to power the new President, B. J. Habibie, announced that Indonesia was prepared to offer the territory “wide-ranging” autonomy. On 27 January 1999, the Indonesian Government went further and announced that it was prepared to “let go” of East Timor if its people rejected the autonomy package, effectively opening up the possibility of independence for the territory. A UN-supervised ballot is to be held on 8 August 1999 at which the choice between autonomy and independence will be put. However, the large-scale violence that has wracked the territory since mid-1998 suggests that resolving the question of East Timor will not be an easy process. Since last June, but even more so since 27 January, events have been proceeding along two distinct, though sometimes converging, tracks. On the one hand, the talks held under the good offices of the UN Secretary-General between the occupying power, Indonesia, and Portugal, which is still regarded internationally as rightfully the territory’s administering power, took on a real urgency for the first time since they began in 1982, as the parties sought first to develop the concept of “wide-ranging” autonomy and then to devise a framework for consulting the people of East Timor on the options of autonomy or independence.

On the other hand, on the ground in East Timor the situation has been marked by growing violence, in particular since late January 1999 when an upsurge of violence by East Timorese “pro-integrationist” militias, almost certainly armed and backed by the Indonesian military forces in the territory, has threatened to delay and possibly derail the process to which the Government in Jakarta is nominally committed. This militia violence reached a crescendo in the first half of April 1999 (as the UN process neared culmination) with attacks on a church compound in the district town of Liquisa and a rampage through the capital, Dili, in which a total of around 70 people are believed to have died. It subsided (but did not cease entirely) after a peace agreement between pro-independence and pro-integration forces on 21 April, presided over by the Indonesian armed forces commander, General Wiranto.

Against this background, on 5 May the UN-sponsored talks came to a conclusion with an agreement between Indonesia and Portugal on the ballot, provisionally scheduled for 8 August, at which the issue of autonomy or independence is to be decided. The agreement consists of three parts: a basic agreement providing for the ballot to take place and for the two governments to take the steps necessary to enforce its result; and two supplementary agreements covering respectively the modalities for the conduct of the ballot and the security arrangements surrounding it.¹

¹ See United Nations, Security Council, *Question of East Timor: Report of the Secretary-General*, S/1999/5135 May 1999; Annex I: “Agreement Between the Republic of Indonesia and the Portuguese Republic on the Question of East Timor”; Annex II: “Agreement Regarding the Modalities for the Popular Consultation of the East Timorese Through a Direct Ballot”; Annex III: “East Timor Popular Consultation, Agreement Regarding Security”

Key to the implementation of the overall agreement are provisions on security requiring that Indonesian forces maintain “absolute neutrality” and that steps are taken to achieve disarmament by all sides.² Indonesia successfully resisted pressure from the U.S., Australia and the EU for a UN peacekeeping force. However, the UN will field teams of monitors and police advisors and, if the security situation is not conducive to the peaceful implementation of the consultation process, the UN Secretary-General may postpone or call off the process.³

1.2 Possible Scenarios

In the present highly confused situation sketching scenarios is easier than predicting outcomes. This is partly because the direction events take in the period leading up to the ballot, in particular whether or not Indonesian security forces play the neutral security role assigned them in the New York agreement, will be crucial in determining its outcome. However, describing some possible scenarios highlights the dangerous predicament that East Timor faces over the coming months. Some of these follow.

Assumption: The ballot takes place on schedule and there is a majority for independence.

Although this outcome is the one most likely to produce a stable long-term solution, even in the event of a majority vote for independence, there are several possible sources of instability. These include the possibility that the leaders of the pro-integration militias who have threatened to continue to fight for integration after a majority has voted for independence, carry out their threat (see further section 4.2). There have also been suggestions that the People’s Consultative Assembly (*Majelis Permusyawaratan Rakyat* - MPR), Indonesia’s highest constitutional body, may refuse to give the required approval, if the majority for independence is less than overwhelming and parties that are lukewarm to letting East Timor go are dominant in the new assembly (see further section 3.2). Whatever the atmosphere in which the ballot is conducted, this outcome will almost certainly lead to a mass exodus of Indonesian civil servants and migrants that will have serious short to medium term economic and social consequences for East Timor, unless international support is forthcoming (see further below: section 6.2).

Assumption: The ballot takes place on schedule and there is a majority for the Indonesian autonomy package.

This seems to be the outcome that the East Timorese militias and their backers in the Indonesian military have recently been working towards through their campaign of terror and intimidation. This outcome could almost certainly not be achieved without massive coercion and the abandonment by Indonesian security forces of their neutrality, and would therefore bring Indonesia into conflict with the UN.

Assumption: The ballot does not take place and parties that are lukewarm to letting East Timor go are dominant in the new assembly.

As a result the process in motion since June 1998 comes to an end. The grinding years of occupation continue, as does East Timorese resistance.

² See Points 1 and 3, “East Timor Popular Consultation, Agreement Regarding Security”

³ *Ibid*; and *The Age* [Melbourne], “Annan Secures Last-minute Deal on Timor Ballot”, 6 May 1999. See also United Nations, “Secretary-General’s Memorandum on Security for Ballot”, 4 May 1999, as reproduced on <<http://www.pactok.net.au/docs/et/unsgka990504.html>>

What is clear from sketching out these outcomes is that in the light of recent developments there are grounds for fearing that any of them might not be stable. These outcomes all have implications in terms of possible population movements.

The recent violence and havoc wreaked by the Indonesian-armed militias have led to the internal displacement of many thousands of people, who often continue to be threatened by militia violence and whose basic subsistence is not assured. Under all scenarios except a relatively benign version of the first assumption more East Timorese are likely to be displaced.

It is estimated that up to 40% of the 100,000-200,000 Indonesian settler and civil servant population have already left the territory. Almost all of the rest would certainly follow if East Timor moves to independence.

A number of East Timorese, who would qualify as political refugees, fled the territory for Indonesia and (in a very few cases) other countries during the militias' April campaign. A reassertion of Indonesian rule would cause many more people identified as pro-independence to seek asylum.

Particularly in view of the narrow base of support that President Habibie enjoys and the possibility that the window of opportunity created by his initiative will be brief, the role of the international community will be decisive in bringing about an acceptable solution to the question of East Timor.

2. POLITICAL DEVELOPMENTS IN INDONESIA AND EAST TIMOR SINCE 1995

2.1 Indonesia

Although the Asian financial crisis was its final undoing, there were some signs of the Soeharto regime's impending dissolution well before the Thai baht crashed in July 1997, setting off economic shockwaves throughout the region. From 1994 Soeharto took steps to break a growing challenge to his highly personalized rule. The challenge came from several directions: from powerful factions within the armed forces (*Angkatan Bersenjata Republik Indonesia*, ABRI), the increasingly popular Indonesian Democratic Party (*Partai Demokrasi Indonesia - PDI*) - one of just three parties then legally permitted to operate - after its leadership had been captured in December 1993 by Megawati Soekarnoputri, the daughter of Indonesia's first president, Soekarno; and the growth of civil society institutions outside the corporatist structure of the regime, including an increasingly assertive press, as well as independent Muslim social organizations, trade unions and non-governmental organizations (NGOs). Soeharto's attempts to control these developments merely succeeded in narrowing the base of his regime and creating a climate of violent social unrest which often had ethnic, religious and racial undertones. In May 1997 these developments fed into a parliamentary election campaign of unprecedented violence.⁴

⁴ On the emerging difficulties of the regime in the early 1990s, see Adam Schwarz, *A Nation in Waiting: Indonesia in the 1990s* (Sydney: Allen & Unwin, 1994). For a retrospective analysis of its collapse, see John T. Sidel, "Macet Total: Logics of Circulation and Accumulation in the Demise of Indonesia's New Order", *Indonesia* [Ithaca NY], No. 66 (October 1998), pp. 159-94

2.2 East Timor

Developments in East Timor in this period partly mirrored those in late New Order Indonesia. Both militarily and economically the territory was fought over by competing factions of the regime.⁵ In 1997 the violence of the parliamentary elections in Indonesia was echoed in East Timor by the strongest upsurge of guerrilla activity for many years.⁶ The mushrooming of NGOs in Indonesia was reflected in East Timor in the spread of organizations monitoring human rights, providing legal aid and disseminating information. From late 1997, amid growing opposition to the regime in Indonesia, political protest became more open and bolder in East Timor.

At the same time there were signs of shifting political alignments in East Timor. The All-Inclusive Intra-East Timorese Dialogue (AIIETD), the series of annual meetings that began in 1994 as an outgrowth of the UN-sponsored tripartite talks,⁷ achieved little of substance before they were abandoned by the pro-independence groups in October 1998. However, by bringing together participants from across East Timor's political and social spectrum they may have done something to foster the idea of reconciliation, a notion also being pursued by others including the bishop of Dili, Bishop Carlos Ximenes Belo.

The joint award of the 1996 Nobel Peace Prize to two men from very different spheres of East Timorese public life - Bishop Belo and the chief foreign representative of the resistance, Jose Ramos-Horta - also broke down barriers, as well as raising East Timor's profile internationally.⁸ It was, for example, probably a factor in the decision of President Mandela of South Africa to act in support of the UN Secretary-General's good offices during a visit to Indonesia in July 1997 by raising the issue of East Timor with President Soeharto and meeting the imprisoned resistance leader, Xanana Gusmão.

The unmistakable signs once the financial crisis hit that the Soeharto regime was approaching collapse also hastened unity among the East Timorese. In April 1998, at an East Timorese National Convention in the Diaspora convention in Lisbon attended by more than a dozen pro-independence parties, the existing resistance group, the CNRM (*Concelho Nacional da Resistencia Maubere*), was replaced by a new body, the CNRT (*Concelho Nacional da Resistencia Timorese*), with the explicit aim of establishing a unified stance among the pro-independence parties on the future of the territory.⁹

⁵ *Indonesia* [Ithaca NY], "Current Data on the Indonesian Military Elite", No. 53 (April 1992), pp. 98-9; George Junus Aditjondro, *Dari Soeharto ke Habibie* (Jakarta: MIK/Pijar, 1998), pp. 59-62

⁶ United Nations, General Assembly, "East Timor Working Paper Prepared by the Secretariat for the Special Committee on the Situation with Regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples", A/AC.109/2111, 1 June 1998

⁷ For the background to the AIIETD, see Tessa Piper, *East Timor: Prospects for Resolution* (WRITENET for UNHCR/CDR, June 1995) (UNHCR/CDR REF WORLD Databases), pp. 16-22

⁸ See Arnold S. Kohen, *From the Place of the Dead: The Epic Struggles of Bishop Belo of East Timor* (New York: St Martin's Press, 1999), pp. 220-9

⁹ United Nations, General Assembly, "East Timor Working Paper"

The extent to which the pro-independence coalition had broadened became evident only after the CNRT emerged into the light of day from underground after the fall of Soeharto and its supporters turned out to include members of parties that had been hostile to the socialist *Fretilin* (*Frente Revolucionaria do Timor Leste Independente* - Revolutionary Front for an Independent East Timor) that had spearheaded the resistance to Indonesian rule, including members of the conservative UDT (*União Democrática Timorese*) and even the pro-Indonesian APODETI party.¹⁰

3. EAST TIMOR: INDONESIAN PERSPECTIVES

3.1 President Habibie and the Demarches of June 1998 and January 1999

As long as Soeharto was in power a change of regime was widely (and correctly) seen as a necessary condition for a shift in the Indonesian position on East Timor.¹¹ The Indonesian invasion and the subsequent occupation were very much Soeharto's personal projects.¹² However, the accession to power of B. J. Habibie in May 1998 did not on the face of it seem likely to herald a shift of policy on East Timor. As a Soeharto protégé with hardly any political base of his own and heavily dependent on maintaining the support of the military, President Habibie might have been expected to continue his predecessor's policy on East Timor. Even after his offer of wide-ranging autonomy in June 1998, most observers saw little likelihood that President Habibie would make further concessions on the fundamental issue of sovereignty.¹³ That he did so seems to have been the result of a mixture of impulsiveness and pragmatic calculation. President Habibie made his offer of wide-ranging autonomy in June 1998 in a press interview without consulting his cabinet or his military chiefs. At the same time the new President seems to have calculated that with the economy in a severe crisis from which it would recover only with international support and with the military apparently powerless to halt continuing social unrest throughout Indonesia itself, the costs to Indonesia in terms of international standing, the diversion of military resources and financial outlay outweighed the benefits of holding on to it.¹⁴

President Habibie himself has been most explicit on the economic costs. In February 1999 he described East Timor as a place that consisted of "nothing but rocks" but which had an annual budget six times bigger than the neighbouring (and equally poor) Indonesian province of Nusa Tenggara Timur.¹⁵ His foreign affairs adviser, Dewi Fortuna Anwar, has described how the Government's decision had also been influenced by the frustrations that East Timor had caused Indonesia's foreign-policy establishment as it sought to raise the country's profile, and Australia's sudden abandonment in early January 1999 of its position as the only western state to recognize Indonesian sovereignty over the territory.¹⁶

¹⁰ The history of these parties is recounted in James Dunn, *East Timor: A People Betrayed* (Milton, Queensland: Jacaranda Press, 1983)

¹¹ See, for example, Piper, p. 33

¹² See John Taylor, *Indonesia's Forgotten War: The Hidden History of East Timor* (London: Zed Press, 1991)

¹³ Economist Intelligence Unit, *Indonesia Country Report, 3rd Quarter 1998* (London, 1998), p. 20

¹⁴ For an insider's account of Habibie's shift, see *Tempo* [Jakarta], Dewi Fortuna Anwar, "Habibie dan Timor Timur", 8 February 1999

¹⁵ *Straits Times* [Singapore], "Habibie: East Timor is Nothing but Rocks", 25 February 1999

¹⁶ *Tempo*

Domestic political calculations may also have played some part in President Habibie's policy switch on East Timor. Precisely because he was so closely associated with Soeharto (and because as he soon made clear, he intended to run for re-election in the presidential election scheduled for late 1999), the new President sought to distance himself from his predecessor and to align himself, as far as he credibly could, with the forces of *reformasi* (reform) against the so-called status quo forces associated with Soeharto.

One area where he has sought to distinguish himself from his predecessor has been in the field of human rights. Just over one month after coming to power President Habibie unveiled a five-year National Action Plan on Human Rights that envisaged the ratification of eight international human rights instruments as well as measures to promote human rights domestically. By the end of 1998, the Government had ratified the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the International Labour Organization's Convention 87 concerning Freedom of Association and Protection of the Right to Organize. In December the Government signed a letter of intent to ratify three other ILO conventions (on forced labour, child labour and discrimination).¹⁷ By late March 1999 the number of political prisoners who had been released or had their parole restrictions lifted since May 1998 had risen to 230, including 36 East Timorese.¹⁸

3.2 The Positions of the Main Political Parties

Strategic considerations probably played a larger part in President Habibie's shift of policy on East Timor than political calculation, however. Opinion polls suggest that the Indonesian public is largely indifferent on the issue¹⁹ (not surprisingly in view of the limited and largely distorted coverage of East Timor during the Soeharto years). With the notable exception of the National Mandate Party (*Partai Amanat Nasional* - PAN) of Amien Rais, which has consistently advocated self-determination for the East Timorese, the most popular opposition parties have been at best lukewarm towards President Habibie's proposal to "let go" of East Timor.

The party identified in opinion polls as the front-runner in the parliamentary elections scheduled for June 1999, Megawati Soekarnoputri's *PDI Perjuangan*, initially adopted a stance of outright opposition to the 27 January proposal. Megawati publicly proclaimed to a 100,000-strong rally in Jakarta in mid-February that East Timor should remain a part of Indonesia forever. International pressures appear to have since softened her party's position. In early March 1999 Megawati assured the visiting Australian minister of foreign affairs, Alexander Downer, that she would not seek to overturn a UN-supervised decision by the East Timorese to separate from Indonesia. Publicly Megawati has justified her stance on nationalist grounds and has said (along with other critics of the Government on East Timor) that such a far-reaching policy shift should have been taken after the elections, by a government with a mandate for a full five-year term, rather than by the present transitional government.

¹⁷ Amnesty International, *Indonesia: An Audit of Human Rights Reform* (London, March 1999); Human Rights Watch, *Human Rights Watch World Report 1999* (New York: Human Rights Watch, 1998), p. 190

¹⁸ Amnesty International, "Prisoners' Release - First Step Towards Redressing Past Wrongs", London, 25 March 1999, press release

¹⁹ See, for example, *Kompas* [Jakarta], "Bertambah, Warga yang Tinggalkan Timtim", 5 February 1999

Probably at least as influential in forming the position of the *PDI Perjuangan* has been the recent intake into the party of several retired generals, including one, Lieutenant-General Theo Syafei, who was commander of Indonesian forces in East Timor from 1991 to 1993 and is now one of the chairmen of the party.²⁰

The party that is most likely to be the main coalition partner of *PDI Perjuangan* after the election, Abdurrahman Wahid's *Partai Kebangkitan Bangsa* (PKB), has also shown little enthusiasm for an independent East Timor. Abdurrahman Wahid has said that he personally opposes independence, but has conceded that it is up to the people of East Timor to decide their future. In a rather desperate move to head off independence he has proposed that if a coalition between the PKB and the PDI comes to power after the election, he would favour the appointment of the East Timorese leader, Xanana Gusmão, as foreign minister in the new government.²¹ The reservations of leading opposition parties towards President Habibie's policy on East Timor may have had some influence on recent events in East Timor. It may have stiffened resistance by "pro-integrationists" and their supporters in the armed forces, based on the hope that if they succeeded in derailing President Habibie's plans for a popular consultation of the East Timorese while he was still in office, they could rely on his successor to shelve the proposal entirely (see further section 4.2).

3.3 The Armed Forces

As an institution the armed forces (*Tentara Nasional Indonesia* - TNI) are on the defensive. Discredited by their association with Soeharto, the revelation since his fall of systematic human rights abuses and their conduct since, including the shooting down of student demonstrators in Jakarta in November 1998, they have become for the most part unwilling adherents of *reformasi*. They have acknowledged the need to rethink the doctrine of *dwifungsi*, which gives them a socio-political as well as a security role. The representation of the armed forces in parliament has been cut. The police have been detached from the armed forces structure (though they remain under the Ministry of Defence). A number of other changes have been promised, but everything their spokesmen say suggests that change is to be very much on the armed forces' terms and at their pace.

Seriously revising *dwifungsi* would greatly reduce their power: under Soeharto *dwifungsi* became the justification for the less savoury side of New Order politics: direct manipulation of political activity, the use of terror, the ubiquitous security apparatus, a command structure that exactly mirrored (and shadowed) that of the civilian bureaucracy and the military's extensive business activity. For now the armed forces continue to be major political players: for example, five members of the present cabinet and about 40% of provincial governors are serving military officers.²² They also remain highly factionalized despite the dismissal of Soeharto's son-in-law, Lieutenant-General Prabowo Subianto, and the demotion of several of his group.²³

²⁰ *American Reporter*, Andreas Harsono, "Megawati Stance May Hamper Timor Independence Move", 9 February 1999; *Australian Financial Review*, Geoffrey Barker, "Megawati Reassures Downer on East Timor", 10 March 1999; *Jakarta Post*, Kwik Kian Gie, "Rethinking the East Timor Solution", 9 February 1999

²¹ *Business Times* [Singapore], "Gus Dur Addresses Business Council", 26 March 1999

²² Economist Intelligence Unit, *Indonesia Country Report: 1st Quarter 1999* (London, 1999), p. 18

²³ *Ibid.*

One line of cleavage within the armed forces has been between those who have risen through the regional command structure (such as the current commander of the armed forces and defence minister, General Wiranto) and those who have built careers in the murky world of intelligence and the special forces (in particular in the army special forces, KOPASSUS, where General Prabowo spent most of his career). It was the latter group who spearheaded the harsh “counterinsurgency” campaigns in East Timor, Aceh and Irian Jaya. The regional and sub-regional commanders now responsible for East Timor both have KOPASSUS backgrounds and are seen by some experienced Indonesia observers as natural members of the Prabowo faction.²⁴

Beyond this group there is probably a wider reluctance to let East Timor go in the armed forces, based on the common experience of being assigned to the territory (four of the five generals who sit in the cabinet served in East Timor, for example) and the losses taken fighting for it (20,000 dead by some estimates). Finally the armed forces’ attitude to East Timor has been partly shaped by its self-proclaimed role as the nation’s “unifier” (*pemersatu*). “Letting go” of East Timor would, in this view, set off a process of disintegration in Indonesia. Aside from the special historical circumstances surrounding the incorporation of East Timor into Indonesia, this view has been contested by those who argue that it is precisely the security forces’ methods that have threatened national unity in Aceh, Irian Jaya and elsewhere.²⁵ Hoping to forestall growing separatist sentiment in those provinces, the armed forces have employed greater violence in Aceh and Irian Jaya in recent weeks as if to impress on them that the choice being offered to East Timor was not available to everybody.

3.4 The Compromise of “Wide-Ranging Autonomy”

Undoubtedly with an eye to the political sensitivities surrounding East Timor, the Habibie Government made it clear when it announced the 27 January initiative that while it was prepared to “let go” of the territory, its own preference was that East Timor should opt for wide-ranging autonomy. It also was not willing to oversee a gradual process lasting several years during which the territory would be prepared for full independence: if the vote went in favour of independence, then the process of separation should be completed by 1 January 2000. Nor was it willing for East Timorese opinion to be tested through a referendum, which it claimed would be divisive. It also insisted that if the East Timorese voted for separation from Indonesia, their choice would still have to be validated by Indonesia’s highest constitutional body, the People’s Consultative Assembly (*Majelis Permusyawaratan Rakyat - MPR*).²⁶ Many, including the CNRT leadership, saw these caveats as suggesting that what was really on offer was continued integration or war, a conviction that the deployment of the militias seemed to confirm.²⁷

²⁴ *Sydney Morning Herald*, David Jenkins, “ABRI Created Frankenstein Monster out of Control”, 19 April 1999

²⁵ See Geoffrey Robinson, “*Rawan* is as *Rawan* does: The Origins of Disorder in New Order Aceh”, *Indonesia* [Ithaca NY], No. 66 (October 1998)

²⁶ *Detikcom* [Jakarta], “RI Ancam Lepaskan Timor Timur”, 27 January 1999

²⁷ *Indonesia-L (Apakabar)* [electronic mailing list], “Xanana’s Understanding of the Indonesian Autonomy Proposal”, 31 March 1999, electronic format: <gopher//gopher.igc.apc.org:2998/7REG-INDONESIA>

The autonomy plan published as an annex to the 5 May 1999 New York agreement indicated that the proposed government of the Special Autonomous Region of East Timor (SARET) would have powers that went well beyond those granted to Indonesia's existing Special Regions (of Yogyakarta and Aceh), which have limited autonomy, mainly affecting religion, culture and education, not enjoyed by the country's provinces. However, comparing its text with details of an earlier draft published in the Portuguese press suggests that reports of a hardening of the Indonesian position in the weeks leading up to the signing of the New York agreement were correct.²⁸ Even symbolic concessions (such as the right of the SARET to have its own flag and anthem) were withdrawn. An earlier provision that the SARET government would have the right to sign international agreements in a number of areas, including commerce and tourism, has been dropped. A crucial provision would allow Indonesian troops to remain in the territory for purposes of external defence and to act if they deem national sovereignty to be threatened. The SARET government would have control over the territory's natural resources with the exception of strategic ones, which include East Timor's potentially most valuable resource, oil (see further section 6.1). This relatively unattractive package seems to have been put together more with an eye to reassuring elite opinion in Jakarta that autonomy for East Timor would not have demonstration effects on parts of Indonesia where separatist sentiments are strong, than to winning over East Timorese voters to the idea of "wide-ranging autonomy".

4. POLITICAL FORCES IN EAST TIMOR

4.1 Pro-independence Forces

As already noted, the spectrum of pro-independence forces is now wide. It has been widening since the Indonesian invasion in 1995. The alliance which endorsed the Indonesian invasion quickly fell apart. One of its main components, the UDT, whose leadership had fled to Indonesia after fighting a brief civil war against Fretilin shortly before the Indonesian invasion, soon fell out with the Indonesians.²⁹ More recently prominent members of APODETI, including a former Indonesian-appointed provincial governor, Guilherme Gonçalves, have come out in favour of independence. The Political Commission of the pro-independence umbrella group, the CNRT, includes several people who have been involved with the Indonesian administration in the territory, including members of the provincial assembly and Mario Carrascalão, who for ten years was Governor of East Timor.

4.2 The Church

The Roman Catholic Church has been playing the difficult roles of protector and mediator. Its right to play these roles has been regularly challenged by the military during the years of occupation.³⁰

²⁸ United Nations, Security Council, *Question of East Timor: Report of the Secretary-General*, S/1999/513, 5 May 1999; Annex I: "Agreement Between the Republic of Indonesia and the Portuguese Republic on the Question of East Timor", including "A Constitutional Framework for a Special Autonomy for East Timor"; RDP Antena 1 Radio [Lisbon], 11 March 1999, quoting *Publico* [Lisbon]; *Detikcom* [Jakarta], "Konsep Otonomi Buat Timtim Versi Mendagri", 9 February 1999; *Sydney Morning Herald*, "Habibie Pulling Back from Timor Independence Offer", 20 April 1999

²⁹ See Jill Jolliffe, *East Timor: Nationalism and Colonialism* (Brisbane: University of Queensland Press, 1978), pp. 297-8

³⁰ Kohen, pp. 138-50, 169-70

It is partly for that reason that church membership has grown, from about one third of the population in 1974 to 90% in 1990.³¹ The Church has moved closer to the people in practical ways, by, for example, adopting the Timorese *lingua franca*, Tetum, in the early 1980s.³² Bishop Belo has been publicly calling for a referendum on self-determination since 1989, when he wrote to the UN Secretary-General describing a referendum as “the most normal and democratic process of decolonization”.³³ In recent months the church has been the main source of protection and subsistence for the many thousands of people displaced by the militias. The killing by militias of up to 40 people taking refuge in the church compound of Liquisa on 6 April 1999 was seen as an attack on the Church’s protective function.

4.3 The Paramilitaries and the Provincial Establishment

The evidence for the Indonesian military’s complicity with the militias is overwhelming. In press and television interviews several senior Indonesian army officers, as well as militia leaders and members, have admitted the relationship, including that the militias are being armed by Indonesia.³⁴ Many eyewitnesses have attested to the presence of Indonesian security forces at incidents involving the militias, where the former have either failed to intervene or have intervened on the side of the militias. Members of the Indonesian security forces have also been reported as attending militia rallies as invited guests. The militias are anyway not a new phenomenon. The use of East Timorese militias by Indonesian forces goes back to soon after the 1975 invasion.³⁵ Although several new militias have been set up in recent months, others that participated in the recent violence have been in existence for many years.³⁶ There is considerable evidence that at least some of them not only owe their existence to the armed forces but have been fully integrated into the armed forces’ structure.³⁷ Many of those closely involved in the militias, including as commanders, are East Timorese who are or have been senior officials of the provincial government. Among them are the present Governor and several district chiefs. Finally, the use of civilians armed and supported by the Indonesian security forces has been a persistent feature of the strategy employed against a diverse array of supposed enemies in Indonesia itself, ranging from separatists to alleged criminals and to (most recently) persons accused of being sorcerers.³⁸

³¹ East Timor Relief Association, “The Church and the People of East Timor”, electronic format: <<http://www.pactok.net.au/docs/et/church.html>>

³² *Ibid.*

³³ Kohen, p. 137

³⁴ Australian Associated Press, Karen Polglaze, “Indon Military Arms Paramilitary Groups in East Timor”, 27 January 1999; *BBC World Service*, “Paramilitaries Admit Their Weapons Are from ABRI”, 5 February 1999; KITLV, *Daily Report on Current Events in Indonesia*, 31 March 1999, quoting Australian Broadcasting Corporation, “Four Corners: A License to Kill”

³⁵ Amnesty International, *East Timor: Violations of Human Rights* (London, 1985), p. 74

³⁶ Yayasan Hak, *Terror, Violence and Intimidation: ABRI and the Pro-integration Militias* (Dili, April 1999)

³⁷ See United States, Senate, *Democracy: An Emerging Asian Value: A Report to the Committee on Foreign Relations, US Senate by Senator Claiborne Pell: Appendix: A Report Translated From Portuguese by the Congressional Research Service* (Washington: US Government Printing Office, 1996; *East Timor Observatory* [Lisbon], “Breakdown of Indonesian Armed Forces Stationed in East Timor”, 10 February 1999

³⁸ See Robinson

Various explanations have been offered about the objectives of the paramilitaries and their Indonesian backers.³⁹ It has been argued that their activities were aimed at:

- causing the breakdown of the UN-sponsored negotiations in New York by forcing Portugal to carry out its threat to withdraw from them;
- intimidating the population into choosing autonomy;
- destroying the CNRT infrastructure;
- forcing delays in the timetable for the consultation process in the hope that a new government would abandon it altogether; and
- creating conditions for an eventual partition of the territory.

These possibilities are not mutually exclusive. Notwithstanding the signing of the New York agreement on 5 May, the process could still be delayed by pro-integrationists intent on disruption. Widespread disruptive violence may resume, particularly if as campaigning gets under way it becomes apparent that pro-independence forces operate openly and show signs of gathering support. The possibility of partition has been raised by a number of integrationists, including the present Governor, Abilio Osorio Soares, and may still be pursued as a last resort.

In the meantime the local command's strategy seems to be to try to control the outcome of the vote by controlling the population. There is some evidence that the means used to achieve this end will be the formal incorporation of the militias into the command structure (by designating them members of the "people's security force") and the concentration of East Timor's scattered population in the territory's administrative centres. Such "resettlement camps" were used extensively in the late 1970s and the early 1980s after the population that had followed Fretilin into the bush were forced to surrender under massive Indonesian bombardment.⁴⁰ There have recently been reports that in the district of Liquisa people were being forced down from the surrounding hills into camps in the district capital.⁴¹

5. POPULATION MOVEMENTS

5.1 Internally Displaced Persons (IDPs)

Large numbers of East Timorese have fled their homes in recent months as a result of the activities of the militia and the Indonesian security forces, with the latter often working together in joint operations. A report by a Dili-based human rights group, *Yayasan Hak*, put the number of IDPs created in the period between November 1998 and the end of March 1999 at 18,091.⁴² The upsurge of militia activity probably displaced more people: one recent estimate put the number of IDPs in Dili alone at 20,000. CARITAS launched an appeal for funds in March based on the assumption that the number of IDPs would reach 25,000.⁴³

³⁹ See in particular, *Radio Nederland Wereldroep*, "Berbagai Wajah Kelompok-Kelompok pro Integrasi Timor Timur", 14 April 1999; Agence France Presse [Dili], "A Campaign to Liquidate the Timor Resistance", 19 April 1999

⁴⁰ Amnesty International, *East Timor: Violations*, pp. 1-2, 68-71.

⁴¹ See KITLV, *Daily Report on Current Events in Indonesia*, 26 April 1999, quoting Fortilos "Laporan Tentang Pembantaian Di Rumah Manuel Carrascalao"

⁴² KITLV, *Daily Report on Current Events in Indonesia*, 29 April 1999, quoting Yayasan Hak, "Joint Statement of Humanitarian Organisations in East Timor"

⁴³ As cited in KITLV, *Daily Report on Current Events in Indonesia*, 29 March 1999, quoting AusAID, *Report of AusAID Fact-finding Mission to East Timor 10-20*

Even after fleeing their homes these people have frequently been the target of militia attacks. Two recent cases of such attacks were those on the church compound in Liquisa on 6 April and the attack on the home of Manuel Carrascalão in Dili on 17 April, but these instances are not unique. There have also been reports of church relief workers being denied access to displaced people. In mid-April 1999 one such group, comprising 5,000-6,000 people, was reportedly stranded without food in the Sare region in the west of the territory.⁴⁴

5.2 Political Refugees

The militia attacks on Dili led to a small number of pro-independence figures leaving the territory (others fled to the bush). Among them were the former Governor, Mario Carrascalão, who went to Portugal, and his brother, Manuel, a former chairman of the Indonesian-installed provincial assembly (*Dewan Perwakilan Rakyat Daerah*) and founder of the Movement for Reconciliation and Unity among the People of East Timor, whose son was killed during the militia rampage in Dili on 17 April. A number of other prominent pro-independence leaders fled to other countries and to Indonesia. A mass exodus of East Timorese boat people seeking asylum in Australia is unlikely, however. There have been instances of East Timorese leaving the territory for Australia since the Indonesian invasion, but only a handful. Most of the estimated 12,000 East Timorese now resident in Australia arrived there via Portugal under Red Cross auspices. The Australian Refugee Review Tribunal continues to take the position despite the Australian Government's recognition of Indonesian sovereignty over the territory, that East Timorese are Portuguese citizens. However a recent Federal Court judgement found that the Tribunal erred in its judgement that a plaintiff had "effective" Portuguese nationality.⁴⁵ Recent statements by the immigration minister suggest that the judgement has not changed the government position on East Timorese refugees.⁴⁶

5.3 The Indonesian Population

Excluding the security forces the Indonesian population in East Timor consists of three groups: migrants settled in the territory under the Government's "transmigration" programme, most of whom work as farmers and are believed to number around 30,000 (including their families); about 50,000 spontaneous migrants engaged primarily in urban occupations such as trading; and about 18,000 people employed by the Government. Including dependents of all these people the size of the Indonesian population at its peak is estimated to have been 150,000-200,000.⁴⁷ Since June last year large numbers of migrants and government employees have left the territory. In a first wave, set off by rumours of impending independence, between mid-June and mid-July an estimated 50,000 Indonesians fled across the border to Atambua in West Timor and another 15,000 left by ship for their places of origin.⁴⁸

⁴⁴ Lusa [Lisbon], "Troops Block Access", 19 April 1999

⁴⁵ Agence France Presse, "Australian Court Victory for More Than 1,300 East Timor Refugees", 30 October 1998

⁴⁶ *Voice of America*, "Timor Refugees for Australia?", 24 April 1999

⁴⁷ *Kompas* [Jakarta], "Kepanikan Mencekam Dili", 12 July 1998

⁴⁸ *Ibid.*

Many of those who fled to Atambua seem to have returned to East Timor, but there have since been further departures. Particular attention has been paid to the exodus of teachers and doctors. East Timor's schools are heavily dependent on Indonesian teachers, particularly at secondary level. The exodus of doctors has contributed to a health care crisis. According to one report, as of early April 1999 nearly 60% of Indonesian "migrants" (not defined) had left the territory.⁴⁹ Because they are generally the poorest and most isolated of the migrant community the "transmigrants" are probably the most vulnerable of this group.

6. THE ECONOMIC VIABILITY OF AN INDEPENDENT EAST TIMOR

6.1 The Debate over Viability

The question of East Timor's economic viability has been a prominent sub-theme in the debate over independence. Claims that East Timor was not economically viable have routinely been made by the Indonesian Government, and taken up by supporters of its case. Pro-independence spokespersons have pointed to a range of valuable natural resources. Several of these resources, including oil and marble, are virtually untapped; and there is thought to be much scope for expanding production of the territory's leading export commodity, coffee. They also argue that East Timor's small size is in itself neither a bar to viability nor an argument against independence. The Indonesian Government has also regularly claimed that many years of budget subsidies for development allowed East Timor's economy to grow at rates well above the Indonesian average. As a result income per head was said to have risen to around US\$ 350 by 1997, a tenfold increase on the mid-1970s level (though still less than one third of the then Indonesian equivalent).

The economic benefits of the Indonesian presence have been contested by some Indonesian academics.⁵⁰ Others have concluded that although there has been material progress it "has failed to resolve the social, economic and political problems resulting from the integration process".⁵¹ The specifically economic dimension of this failure arises largely because the manner in which the Indonesians have exercised control of the economy has stifled the opportunities available to ordinary East Timorese. Until recently, for example, the processing and marketing of coffee, the territory's most lucrative cash crop which provides a livelihood for about one in five East Timorese, was exclusively controlled by a military-run company, P.T. Denok. The loosening of P. T. Denok's grip through the creation in 1995 of a processing and marketing cooperative involving the USAID-assisted U.S. National Cooperative Business Association has greatly improved the position of East Timorese growers.⁵² It has also been alleged that, as in Indonesia, East Timor had in recent years become a battlefield on which the competing economic interests of the military and of members of the Soeharto family and their associates was fought out.⁵³ It is the policy of the CNRT that property acquired illegally by Indonesians should be handed back to the East Timorese.

⁴⁹ *Kompas* [Jakarta], "Memperjuangkan Pemilu di Timtim", 9 April 1999

⁵⁰ See in particular, George Junus Aditjondro, *In the Shadow of Mount Ramelau* (Leiden: Indonesian Documentation and Information Centre, 1994)

⁵¹ Mubyarto [*et al.*], *East Timor, the Impact of Integration, An Indonesian Socio-Anthropological Study*, (Yogyakarta: Gajah Mada University Research Centre for Village and Regional Development, 1991), p. 43

⁵² *Far Eastern Economic Review* [Hong Kong], "Perky Future", 18 February 1999

⁵³ Aditjondro, *In the Shadow*

A spokesman for the CNRT recently gave as examples of such property were land owned near Dili by Soeharto's eldest daughter, Siti Hardiyanti Rukmana ("Tutut"), and the extensive holdings built up by the former President's youngest son, Hutomo Mandala Putra ("Tommy"), in the east of the territory, which is said to have been acquired fraudulently.⁵⁴ There have been reports in recent months of former Soeharto cronies abandoning their claims to land in the territory, opening the way to a reassertion of East Timorese control of the economy.⁵⁵

6.2 Immediate Problems

However the question of the long-term viability of the East Timor is finally settled, there is little doubt that in the short to medium term the territory could face serious threats to its viability as a result of disruptions, caused by continued violence, the breakdown of essential services and the return of many Indonesians to their place of origin. The exodus to date has already had an impact on the territory's health care, education and distribution systems. A report by AusAID on the situation in mid-March 1999 noted that the flight of Indonesian traders, combined with the disruption both of cargo inflows into the territory and of internal transportation networks, had created shortages of affordable staples such as rice. Although medicines were generally in plentiful supply, they too were often not affordable. The report also found that about one fifth of the territory's doctors had left for Indonesia, and more were expected to leave as their contracts expired. The report concluded that East Timor was not facing a humanitarian crisis, but needed international support to fill the worst gaps such as the total absence of civilian surgeons. The Indonesian Government ruled out such assistance, even though two months later the situation, as described by one of a handful of volunteer foreign doctors working in Dili, was reportedly still serious. Malaria and tuberculosis were reported to be rampant; child malnutrition endemic.⁵⁶

7. CONCLUSIONS: A DIFFICULT TRANSITION

In recent weeks international concern about the situation in East Timor has been mounting. In late April in Australian Government circles the situation in East Timor was seen as the most serious threat to Australian-Indonesian relations since Soekarno's policy of "confrontation" in the early 1960s.⁵⁷ This alarm was at its height in April when the violence of the pro-integration militias reached a peak, sparking (mistaken) fears of "civil war". However, many other factors continue to contribute to a wider unease - a weak government in Jakarta with an unclear mandate that does not have long to run, which is beset by massive social, economic and political problems, including a resurfacing of separatism in Aceh and Irian Jaya and demands for much greater regional autonomy in other Indonesian provinces. On 7 June 1999 the country is scheduled to hold its first, open parliamentary election since 1955 against a background of nationwide violent social unrest and economic hardship. (One journalist has remarked, with only a little exaggeration, that violence is now so commonplace that incidents involving less than 50 deaths often go unreported.⁵⁸) At the same time many of the institutions of Soeharto's New Order live on, largely untouched by *reformasi*, including, notably, the armed forces.

⁵⁴ *The Age* [Melbourne], Lindsay Murdoch, "Soeharto Family To Lose Timor Lands", 30 March 1999

⁵⁵ *Australian Financial Review*, Michael Brackman, "East Timor Can Go It Alone", 21 April 1999

⁵⁶ *Lusa* [Lisbon], "Health Care Crisis Grips Timor", 5 May 1999

⁵⁷ *Australian Financial Review*, "Indonesia-Australia Crisis Summit on Timor", 20 April 1999

⁵⁸ *Asian Wall Street Journal*, Jeremy Wagstaff, "Status Quo? Real Change Remains Elusive in Indonesia as Election Nears", 3 May 1999

The armed forces' commitment to President Habibie's plan for East Timor is uncertain. Initially blamed on "rogue elements", some now see the arming of the pro-integrationist militias as official military policy emanating from the top.⁵⁹ For whatever reason - whether because East Timor is an "emotional no-go zone"⁶⁰ or because of the feared disintegration of the laboriously constructed state of Indonesia - there appear to be powerful forces in the military opposed to letting East Timor go. Against this background the provisions in the New York agreement of 5 May that assign the Indonesian armed forces full responsibility for security and give the UN a limited, monitoring role, may not provide the basis for an easy transition. The ultimate sanction available to the UN Secretary-General under the agreement is to postpone or call off the ballot. Since Indonesian military commanders on the ground, members of the East Timorese "provincial" administration and the leaders of the militias have made it clear that they would prefer that a vote did not take place, for many that may not be any sanction at all. A breakdown of the plan to hold a ballot on 8 August is therefore a distinct possibility. The humanitarian consequences of such a breakdown, particularly in terms of the creation of more internally displaced persons, are likely to be grave.

⁵⁹ *Far Eastern Economic Review* [Hong Kong], "Second Thoughts", 29 April 1999

⁶⁰ *Sydney Morning Herald*, David Jenkins, "ABRI Created", 19 April 1999

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