

TIMOR-LESTE:

Unfulfilled protection and assistance needs hamper the return of the displaced

A profile of the internal displacement situation

7 September, 2007

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OVERVIEW

Unfulfilled protection and assistance needs hamper the return of the displaced

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More than a year after riots and fighting rocked Timor-Leste and sent over 150,000 people to seek refuge, the majority of the internally displaced people (IDPs) are still unable or unwilling to return, and remain in camps in and around the capital, Dili, or hosted by friends and families in Dili and in the districts. An Australian-led international force has since June 2006 restored law and order, but the security situation has remained unstable, with sporadic violence causing further displacement and hampering return. The announcement of the formation of the new government on 6 August 2007 triggered civil unrest, mainly in eastern districts traditionally loyal to the former ruling party FRETILIN, which resulted in the displacement of more than 4,000 people.

It is estimated that 100,000 people remain displaced in the country, with approximately 30,000 living in camps in Dili and 70,000 living in the rural districts, mainly with host families. Urgent problems for camp inhabitants involve a wide range of protection issues, including lack of access to healthcare, lack of adequate water and sanitation, but, while most of the assistance has focused on Dili, people are most vulnerable in the eastern districts, where the influx of displaced people has placed great strain on the very limited resources available to host communities. The overall deterioration of the general food situation, mainly due to adverse weather conditions and a locust outbreak, has further reduced the capacity of the host population to provide food. Most IDPs who had the chance to return home have already done so; for the remaining majority, return will largely depend on the effectiveness of reconstruction and reconciliation processes as well as significant improvements in the political, economic and security environment.

The government's return and reintegration strategy has so far proved largely unsuccessful. The extreme shortage of housing and shelter means that widespread land and property disputes must be comprehensively addressed by the government if durable solutions are to be found for the people displaced. In light of the government's limited capacity, in particular with regards to the monitoring and protection of human rights of vulnerable groups such as IDPs, the international community has the responsibility to assist the government. However, the departure of UNHCR because of lack of funds in July 2007 is raising concern that protection issues might not get the attention they deserve.

A nation born of violence and displacement

In Timor-Leste the majority of the population of just under one million has experienced violent forced displacement. The country's traumatic battle for independence started in 1974, when Portugal's withdrawal from its Southeast Asian colony preceded a short civil war in what was then known as East Timor. Thousands of people were killed and tens of thousands displaced to West Timor, which is part of Indonesia (OHCHR, 2 October 2006, p.16). On 7 December 1975, only days after the FRETILIN movement had declared the independence of Timor-Leste, Indonesia forces invaded.

During Indonesia's occupation of Timor-Leste from 1975, there were large-scale displacements as people fled before the advancing Indonesian soldiers or were resettled as the Indonesian army sought to increase its control over the territory and crush support for the FRETILIN rebel movement. Between 1977 and 1979, tens of thousands of people are believed to have starved to

death in army-controlled resettlement camps. From the early 1980s, the camps were dismantled and the population moved to “strategic” villages where restrictions on their freedom of movement continued to limit their ability to produce food. According to the findings of the Commission for Reception, Truth and Reconciliation in East Timor (CAVR), which released its final report in January 2006, between 84,000 and 183,000 people died during Indonesia’s occupation, mainly due to hunger and illness, and almost all east Timorese experienced at least one period of displacement (CAVR, Chapter 7.3, 30 January 2006, pp.143-144).

Following a UN-sponsored agreement between Indonesia, Portugal and the United States, a UN-supervised referendum was held on 30 August 1999. In the months prior to the referendum, an estimated 60,000 people were displaced from their villages to urban centres by a campaign of violent intimidation conducted by pro-integrationist militias supported by the Indonesian army. Nonetheless, the overwhelming majority of the population voted in favour of independence from Indonesia. Following the announcement of the result on 4 September 1999, further intense violence and widespread human rights abuses by the militias led to the destruction of much of Timor-Leste’s infrastructure and housing stock, the collapse of the economy and state institutions, and the forced displacement of 80 per cent of the population. 500,000 people sought refuge within Timor-Leste, while 240,000 crossed the border to West Timor. This latter movement was in fact a planned mass evacuation, organised to offer a safe haven to pro-integrationists and militias who had committed human rights abuses, and also to discredit the referendum by showing that a large number of people did not recognize its results (CHR, 6 April 2000, p.5). While the majority of these displaced people managed to return to Timor-Leste in the following years, tens of thousands remained in West Timor, many of them still living in camps or sleeping rough in 2006, although they were no longer considered as refugees, having been offered the choice of Indonesian citizenship or resettlement support since 1999 (ICG, 4 May 2006, p.2; Kompas, 21 March 2006).

From 1999 to 2002, the United Nations Transitional Administration in East Timor (UNTAET) exercised legislative and executive authority while building domestic capacity, until Timor-Leste was declared independent on 20 May 2002. UN support continued until May 2006, first through the UN Mission of Support in East Timor (UNMISSET) and from April 2005 through the UN Office for Timor-Leste (UNOTIL).

In April and May 2006, violent internal conflict erupted following an uprising by sections of Timor-Leste’s army. Within days of the government’s call to the international community for military assistance to restore law and order, a 3,000-strong military and police force led by Australia was mobilised, which by August was in effective control of much of the country. On 25 August, the United Nations Integrated Mission in Timor-Leste (UNMIT) was established through resolution 1704, but a divided UN Security Council decided not to provide UNMIT with a military component to complement or replace the Australian-led force, something the Timor-Leste government had expressed preference for on several occasions (UNSC, October 2006).

During 2007, the security situation has remained fragile with occasional eruptions of violence leading to further displacement. While the campaigning for the presidential and legislative elections from April to June 2007 was relatively peaceful, the announcement of the composition of the new government in early August – an anti-FRETILIN coalition led by ex-president Xanana Gusmao – triggered renewed violence and displacement in the eastern districts (OCHA, 13 August 2007), where the former ruling party continues to enjoy strong support. While it remains unclear what caused the latest violence, many of FRETILIN’s followers have questioned Gusmao’s impartiality during last year’s political crisis and see his privileged relations with the powerful Australian neighbor as a threat to Timor-Leste sovereignty, in particular with regards to the country’s notable oil and gas reserves (Horta, 8 June 2007; ICG, 13 June 2007, p.6; Neupert & Lopes, September 2006, p.9).

In May 2002, Timor-Leste and Australia signed the Timor Sea Treaty, an interim agreement under which Timor-Leste was entitled to oil and gas revenue from only 18 per cent of the Greater Sunrise Field, although most of the field lies within what would normally be considered Timor-Leste's waters under international maritime law (Oxfam, December 2003). In January 2006, both countries signed the CMATS treaty under which Timor-Leste is entitled to half of the revenues, enabling a projected \$15 to \$25 billion revenue in the next 20 years, although it was not until February 2007 that the Timor-Leste parliament agreed to ratify the agreement.

The 2006 violence

The current displacement situation results directly from a wave of unrest which hit Dili in April and May 2006 and caused 150,000 people to flee into makeshift camps in the capital or else to take refuge with relatives in eastern districts. The suddenness and extent of the collapse which Timor-Leste experienced during this period is illustrated by the fact that up to two-thirds of the capital city's population abandoned their homes within a few days. The crisis resulted from several factors: weak and factionalised state institutions, the country's extreme poverty, a large and disempowered youth population and unresolved land and property disputes which had been simmering since 1999 and before.

In February 2006, some 400 soldiers originating from the western districts of the country went on strike, claiming discrimination by their leadership which was predominantly from the east. In mid-March, the government dismissed the group of "petitioners", which now numbered close to 600 men, nearly half of the country's entire army. On 23 March, president Gusmao addressed the nation in a televised speech and criticised the government's move as "unjust", adding that discrimination in the army did exist and should be properly addressed if further divisions were to be avoided. The president's speech inflamed what appeared a relatively small and manageable crisis and in the following days, petitioners joined by other groups started to attack easterners in Dili. By 27 March, 17 homes had been destroyed and easterners had started fleeing the city (ICG, 10 October 2006, p.8; OHCHR, 2 October 2006, p.22).

In the following weeks, the east-west divide would colour most events in Dili in what now started to look like an attempt to secure a change of government through organized violence. On 28 April, at a demonstration by petitioners and their sympathizers in Dili, a divided police force proved unable to contain the angry crowd, and in the ensuing violence several civilians were killed and nearly 100 houses burned to the ground, mostly belonging to easterners (OHCHR, 2 October 2006, p.27). The government called on the army to restore law and order, but defections continued, in some cases based on allegiance to Gusmao (ICG, 10 October 2006, p.11; The Australian, 12 September 2006; Martinkus, 20 September 2006).

By the end of May the situation had deteriorated into armed clashes between army and police units, and among the wider population, in both cases between easterners and westerners. Youth gangs armed with machetes, slings and bows rampaged through Dili threatening and attacking easterners and their properties. Thirty-seven people were killed, around 3,000 houses were destroyed and over 2,000 severely damaged, and more than 150,000 people, mainly easterners, fled their homes to seek refuge with families and friends or in makeshift shelters in and outside Dili (OCHA, 17 July 2007, p.7). Most people fled in anticipation of violence, amid rumours that weapons had been distributed to civilians (Engel, August 2006, p.2).

During 2007, further sporadic violence prevented the return of the majority of the displaced and even led to further displacement, as in February 2007, when up to 8,000 people were displaced by violence reportedly linked to rice shortages in Dili (Kammen & Hayati, March 2007). The introduction of the new government in August 2007 triggered renewed violence with an estimated 4,000 people displaced in the eastern districts of Viqueque and Baucau and a total of 7,800 people affected (OCHA, 29 August 2007).

There is no history of violence between easterners and westerners and analysts have suggested that these identities were manipulated by interest groups to advance their own political agenda (USAID, November 2006, p.21). However, the division did reflect real and perceived differences in the role played by each group in the independence struggle as well as its outcome from 1999 onwards. Those from the east, who constituted the bulk of the surviving resistance, also gained the best access to the state's institutions and resources, mainly through the FRETILIN party, which dominated the political scene from 2002 onwards.

Also contributing to the emergence of regional divisions are widespread land and housing disputes that have arisen in the wake of the large-scale displacements that occurred before and after the 1999 independence vote, when many returning easterners occupied land and houses left vacant by those who had relocated to West Timor and only gradually returned in the following years (AusAID, 15 September 2006, p.3). In any case, these regional identities have become a reality to many East Timorese since the violence of 2006. The collapse of law and order has also provided an opportunity for youth gangs, many allegedly paid, to force easterners from the homes they were occupying illegally (Harrington, February 2007, pp. 41-42; AusAID, 15 September 2006, p.3).

100,000 people remain displaced

Of the estimated 150,000 displaced, approximately half sought refuge within the capital, mainly in government buildings, schools or churches, and subsequently in over 50 makeshift camps, while the other half fled eastwards to their districts of origin, to be accommodated by families and friends. These districts include Viqueque and Lautem, and in particular Baucau where the influx of nearly 26,000 IDPs resulted in a population increase of 35 per cent. This influx heightened the crisis in districts which already had a very low level of food security and social services available (FAO/WFP, 21 June 2007, p.4).

Following the intervention of the Australian-led military force and the stabilisation of the security situation, some of the IDPs started returning, although many chose to stay in the camps where they felt safer at night and where free food distributions were available. Food distribution policies targeting all displaced people, but not the rest of the population have proven a strong incentive for people to register as an IDP or to stay in the camps (FAO/WFP, 21 June 2007, p.5).

The situation has since remained fluid, with returns offset by new displacements, as in February 2007 when an estimated 8,000 people were displaced by an upsurge in violence in Dili and sought refuge in existing camps and in four new ones (OCHA, 23 February 2007). The high mobility of the displaced people (many use the IDP camps as transit centres between Dili and the districts) and a lack of consensus on who is an IDP have prevented any systematic registration of displaced people and made accurate estimation of their numbers very difficult. Food distributions in the camps have also inflated IDP figures. By July 2007, an estimated 30,000 people remained displaced in Dili with close to 70,000 people in the districts (OCHA, 17 July 2007, p.7). The majority of the displaced in Dili were living in camps. Outside Dili, the majority were staying with host families and communities (OCHA, 16 January 2007, p. 10).

Humanitarian issues

The current humanitarian crisis in Timor-Leste is a direct result of the 2006 unrest, but also has roots in the 1999 militia campaigns. Most of the 740,000 people displaced at that time returned to find their home destroyed (in almost 80 per cent of cases) or occupied by other IDPs. Many returnees were not brought back to where they had come from, but to Dili, which offered most economic opportunities; they were left with no access to alternative shelter, as housing shortages combined with an influx of international humanitarian and development staff caused prices to

soar. At the time, the primary concern of UN agencies was the urgent repatriation of as many people as possible, and insufficient attention was paid to the consolidation of the social aspects of their reintegration (UNHCR, February 2004, p.3).

In a country where only a third of the population has secure access to food, the humanitarian needs created by the displacement of 15 per cent of its population were enormous, both in and around Dili, and also in the rural areas where half of the displaced population sought refuge. In eastern districts such as Baucau, hosts' capacity to feed themselves and the IDPs has been further reduced since 2006 by poor harvests due to adverse weather conditions and a locust outbreak (FAO/WFP, 21 June 2007, p.4). With most international assistance targeting IDPs in Dili and a very limited humanitarian presence in the districts, little has been done to support the capacity of the host population to assist and feed the displaced people. The limited access to these areas and the fact that most IDPs are staying with friends and relatives makes any assessment of their needs more difficult. The August 2007 displacement of a further 4,000 people in Viqueque and Baucau extended the scope of the humanitarian needs in these areas.

Malnutrition levels are particularly high, with chronic malnutrition affecting almost half of the population and nearly half of children under five are underweight (OCHA, 17 July 2007, p.26). The percentage of households with a poor diet was reported to have increased from 15 to 48 per cent during the 2006 crisis, making the displaced highly dependent on food assistance (WFP, 30 June 2006, p.18). Planned dates for ending food distributions to IDPs in camps have been constantly pushed back, reflecting their ongoing food assistance needs. The deadline for general food distributions is currently September 2007.

In Dili, the main concerns of the humanitarian community relate to the health, water and sanitation and other protection challenges created by the sustained presence of such a large displaced population in crowded makeshift camps. The camp residents are particularly vulnerable to flooding and diseases such as malaria, respiratory and skin infections, and diarrhoea. In March 2007, six camps in Dili were identified as particularly unfit in terms of water and sanitation conditions and were recommended for closure or immediate upgrading. Of these, four would remain "high risk" even after their upgrading. Thirteen other camps were identified as "moderate risk" camps requiring significant improvement in the near future (WSWG, May 2007, p.1).

There have been serious protection concerns for the displaced population and in particular for the children among them, who are exposed to a variety of protection risks due the prolonged stay in overcrowded camps where physical and sexual abuses can occur, and also outside the camps, due to the volatile situation (UNICEF, 5 July 2007). Also of particular concern is the issue of access to education. Although there are several organisations focusing on emergency child protection issues, the government's failure to address the inadequacies of the education system remains a main long-term protection concern (NRC, 3 September 2007). On 17 August 2007, a large number of international and national aid agencies publicly raised concerns about the alarming trend of increasing violence against children in the country (Inter-Agency Protection Working Group, 17 August 2007).

Insecurity and unresolved land and property issues prevent return

An estimated 40,000 people returned within a few months of their displacement in 2006, most from camps in Dili. However, return rates slowed considerably after these initial returns, which consisted mainly of IDPs without significant housing and protection problems. Between September 2006 and July 2007, only 4,800 IDPs took advantage of government assistance to move out of the camps (MTRC, 17 July 2007). More than a year after the unrest, two-thirds of the total displaced population had not returned. The main obstacles to their return and reintegration included the volatile security situation, the lack of confidence in the judicial system and in the reconciliation process, and the lack of progress of the reconstruction programme for destroyed or

damaged houses as well as unresolved land and property issues. The lack of livelihood opportunities and the food crisis encouraged most IDPs to stay in camps where at least humanitarian assistance was available.

Most of the IDPs currently in camps are likely to require emergency shelter at least until the end of the year, and probably well into 2008 (OCHA, 17 July 2007, p.31). While the existing camps continue to require urgent upgrading, the construction of transitional shelters has started, with a total of 584 transitional shelters built on four different sites. Meanwhile, the main obstacles to the successful transition of people to the transitional camps have been their reluctance to move further away from the city, the persisting feeling of insecurity and the lack of funds to ensure adequate water supply and sanitary conditions (NRC, 17 August 2007).

Many IDPs who had gone home returned to the camps because of attacks or threats from their neighbours (OCHA, 6 September 2006). Continued tension between the displaced, most of whom are easterners, and western-dominated youth gangs has been illustrated by repeated eruptions of violence near IDP camps during 2006 and, to a lesser extent, during 2007. There has also been growing hostility among IDPs towards the international community, and in particular the Australians among them, who they perceive as politically biased against them. In February 2007, two IDPs were shot dead by Australian soldiers in an incident near an IDP camp (UN, 23 February 2007).

During the 2006 unrest, the destruction of homes and businesses affected mainly people from the east, many of whom had migrated to Dili after 1999. Existing land and property disputes were major motives in these attacks as the attackers saw the opportunity to reclaim what they considered as their property or grab new property. Resolving these land and property disputes in a country where most land is unregistered and governed by customary law will be a complex and daunting challenge that the new government must meet if it is to find a durable solution for the displaced population. In the absence of any mechanisms for compensation and property restitution, the displacement crisis is likely to persist.

National response

The efforts of the Timor-Leste government to assist its displaced population can be described as sincere, but limited both in terms of operational and financial capacity. The 2006 unrest and the resulting instability further weakened already fragile state institutions which proved unable to cope with the challenges created by the violence and the displacement of nearly 15 per cent of the country's total population. Despite its readiness to assist IDPs and create conditions conducive to their return and reintegration, the root causes have still not been addressed. Understanding of IDPs needs, and coordination and planning of assistance have been hampered by a clear lack of institutional capacity, in particular in the eastern districts, where humanitarian presence has been limited or diminishing (OCHA, 17 July 2007, p.20).

Lack of funds has also hampered the government's overall humanitarian response, as the process of approving the 2008 budget is reported to be limiting the government's current capacity to respond to the urgent humanitarian needs resulting from the August 2007 displacement in eastern districts. Revenues from the offshore gas and oil fields, which are placed in a petroleum investment fund, now amount to \$1 billion and have allowed the government to significantly boost the level of spending in its 2006/2007 budget. Weak capacity has, however, been a major obstacle to the implementation of the government programmes. Despite the scale of the humanitarian crisis, the IDP issue has not featured very high on the agenda of the main political parties and was largely absent from the main issues discussed during both the presidential and the parliamentary election campaigns (ICG, 13 June 2007, p.8).

Acknowledging that no return and reconstruction program would be sustainable without first restoring security and trust between communities, the government has focused its “Simu Malu” (mutual acceptance) return and reintegration strategy on ending violence in the villages and urban neighbourhoods, conducting protection and reconciliation activities through community dialogue, and facilitating the return of the displaced to their homes (OCHA, 16 January 2007, p.8). Led by the Ministry of Labour and Community Reinsertion (MTRC), now the Ministry of Social Solidarity (MSS), an inter-ministerial committee was created to coordinate the government response in the key areas of security, reconciliation and humanitarian assistance (MTRC, August 2006, p.3). In the wake of the February 2007 renewed violence and displacement, a national contingency plan for new displacements was established by the MTRC and the National Disaster Management Office (NDMO) (OCHA, 14 March 2007).

Responsibility for the monitoring and protection of the displaced lies with the Office of the Ombudsman for Human Rights and Justice (the “Provedor”), which has only been operational since March 2006 and is still of very limited capacity. In August 2007, IDP monitoring activities conducted by the Provedor’s Office with assistance from UNMIT and the Human Rights Monitoring Network (RMDH), a network of Timorese NGOs, were scaled down due to lack of funds (OCHA, 17 August 2007, p. 2).

Despite the government and the UN’s optimism in the early months that people would start returning as soon as the international armed force restored security, by the end of the year it became clear that this would not be the case and that it would take more than promises of safe returns or threats to cut off assistance to convince people to return (Kammen & Hayati, March 2007, p.2). Acknowledging that more efforts were needed to assist IDPs return or relocate, in particular those living in “critical” or “high-risk” camps, an operational plan was prepared to support durable return and reintegration, and a comprehensive assistance package consisting of food, shelter, construction material and transport was offered to IDPs agreeing to leave (MTRC, 24 November 2006, pp.1-3).

Overall, the government’s return and reintegration strategy has proved unsuccessful because of its incapacity to address protection concerns and land and property disputes in areas of return. As of August 2007, more than a year after an estimated 5,300 houses were either destroyed or damaged by the unrest of April and May 2006, no government housing reconstruction program has started in Dili or in the districts with only one pilot rehabilitation project underway, implemented by the Norwegian Refugee Council (NRC, 17 July 2007).

International response

The humanitarian response has been left for the United Nations to coordinate. Two successive Consolidated Appeal Processes (CAPs) have requested a total of \$58 million, and the response by donors has been mixed with critical sectors such as health, water and sanitation and protection and human rights remaining largely underfunded (OCHA, 29 August 2007). The Common Humanitarian Action Plan (CHAP) developed in 2007 prioritised programmes to address the humanitarian needs of IDPs and the vulnerable population, to move from emergency to early recovery and to support the sustainable return, resettlement and reintegration of the displaced (OCHA, 17 July 2007, p.1).

The existing coordination structures informally follow the cluster leadership arrangements. A UN Inter-Agency Humanitarian Operational Plan has been established to provide an appropriate and effective response to new crises in partnership with the government’s MTRC and NDMO (OCHA, 17 July 2007, p.9). However, the departure of UNHCR due to lack of funds in July 2007 has left a potential protection gap in a country with extremely limited capacity in the field. With the coordination of protection activities now left to UNMIT’s Human Rights Unit with the support of IOM and UNICEF, the absence of a clear lead agency with a protection mandate for the

displaced is raising concerns that protection issues may not get the attention they deserve (PWG, 2 July 2007, p. 1). Addressing the security concerns of the displaced is central to finding durable solutions to the displacement crisis. The fact that most IDPs originate from the east, where the FRETILIN party enjoys most support, further heightens the need for a strong and independent agency to advocate for the protection needs of the displaced and monitor human rights abuses, in particular in areas of potential return or relocation. Moreover, with the UN Special Representative of the Secretary General also acting as the humanitarian coordinator, there are risks that protection issues will be lost within the broader political objective of the UNMIT.

In parallel to its humanitarian plan, the international community is also involved in an International Compact recovery and development programme, which provides a common platform for coordinating international assistance in key areas such as the public and security sector reform, justice, governance, the rule of law, youth employment and human resource development (Government of Timor-Leste, 17 May 2007). In early 2006, UNDP's National Human Development Report drew attention to Timor-Leste's worsening poverty levels, and urged the government to ensure that growth and economic measures first target the agricultural sector, which employs three-quarters of the country's workforce (UNDP, January 2006, p.3).

CAUSES AND BACKGROUND

Socio-economic background

Timor-Leste is one of the poorest and least developed country in the world

- Timor-Leste is one of the poorest countries in the world with a per capita income of \$389 in 2003, ranking 142nd among the 177 countries in terms of HDI.
- Almost half of the population has no access to safe water and 80 per cent has no access to sanitation facilities.
- A rapid and badly managed urbanisation process, mainly affecting the capital, Dili, has led to the doubling of its population between 1999 and 2004, to 174,000 people.
- Unemployment rates are very high in a country with few economic opportunities, in particular for Dili's urban youth, almost half of whom have no job.
- Timor-Leste's population has one of the highest growth rate in the world and more than half of the population is below 20 years old.

OCHA, 16 January 2007, pp. 8-9

"The situation in Timor-Leste is aggravated by prevailing poverty, with one-fifth of the population living on less than \$1 per day.⁶ Per capita income was just \$389 in 2003, ranking 142nd among the 177 countries included in the 2006 UNDP Human Development Report,⁷ below Sudan and the Republic of Congo. Life expectancy for men is at 57 and for women 59 years of age. 44% of the population do not have access to safe water and 81% have no access to sanitation facilities⁸.

High in-migration rates to Dili and rapid urbanisation of the city have been added stress factors⁹. Massive population movements into Dili have seen the population double in size to 174,000 people between 1999 and 2004. Unemployment and lack of opportunities have created enormous social tension. The 2004 Census of Population and Housing shows that 8.5% of the population were unemployed nationwide in 2004, rising to 26.9% in Dili and to as high as 44% for urban youth¹⁰. These figures are likely to have risen significantly since the census took place. Youth unemployment is expected to remain an urgent challenge. 53% of the population is below the age of 20, and the median age of the population is just 18.2 years. Timor-Leste has one of the highest levels of fertility in the world (7 children per woman), with population growth among the very highest (3.2%).

The infant mortality rate¹¹ is 60, the under-five mortality rate 129,¹² and 45% of children under five years of age are underweight. 27% of the population between the age of 15 and 24 are illiterate. Only 15% of the population aged 18 years or older hold a high school diploma, 2% have a university degree,¹³ and half of all adults are illiterate.¹⁴

Since the signing of the Timor Sea Oil Treaty, petroleum has become Timor-Leste's dominant source of revenue. The IMF is of the opinion that oil and gas wealth offers the potential of a significantly more prosperous future¹⁵ and forecasts that, of an estimated \$172 million of revenue contained in the central Government budget for 2006, a full 94% (\$161 million) can be accounted for by gas and oil revenues.

In spite of this, significant improvements in the socio-economic situation during the next twelve months are not expected. The crisis has disrupted the private sector, causing a significant rise in

inflation, from previously 1% to 6% in 2006. Annual economic growth rates of 7% or more will be needed to reduce poverty significantly. There is an urgent need for growth and job creation in the non-oil private sector, to encourage the creation of a business-friendly environment, accompanied by the necessary legal structure."

UNDP, January 2006, p. 2

"Timor-Leste's low HDI corresponds to a high level of income poverty. The income poverty line is set at \$0.55 per capita per day. In 2001 the proportion of the population with an income below this was around 40% – only slightly smaller than in earlier years. Income poverty is more pronounced in rural (46%) than urban (26%) areas. However there are also contrasts between different urban areas: lower in Dili and Baucau (14%) and higher elsewhere.

The poorest people tend to be those with least education and they are likely to be working in agriculture. Widows and orphans of the resistance, veterans and former child soldiers are also among the poorest. Especially disadvantaged and vulnerable are those children – one in ten – who have lost one or more parents.

A broader measure of poverty is the human poverty index (HPI) which is a composite measure of deprivation that combines the probability of survival to age 40, illiteracy, the proportion of children who are underweight and the proportion who lack access to clean water. Since 2001, Timor-Leste's HPI too has improved, but only slightly; progress in survival and literacy has been offset by a deterioration in living standards."

Generalities about the agricultural sector

- Bulk of Timor-Leste's agriculture is low input/output subsistence farming with maize as the main crop.
- The country is divided between two different climatic zones, north and south. The south has two rainfall peaks and a wet season extending over 7 or 9 months, while the northern wet season is 3-5 months shorter.
- The agricultural cycle starts in November with land preparation and planting of maize in upland, followed by nursery preparation and transplanting of rice in lowland, in December/January in the northern part, and a month or two later in the south coast.
- Harvesting of maize begins from February and completes in April, while harvesting of wet season rice is around June/July in the north and August/September in the south.
- Crops include cereals, cassava, and also sweet potatoes, Irish potatoes, beans and bananas which play an important role as coping mechanism in difficult periods, hence their important contribution to overall food security.
- Livestock production is on a small scale and include cattle, buffalo, sheep, goats, pigs and poultry.

FAO/WFP, 21 June 2007, p. 10

"Timor-Leste has a total land area of approximately 14 500 sq. km, of which 600 000 hectares are suitable for crop and livestock production. Approximately 174 000 hectares are arable with an additional 124 000 hectares that can be used as bushed gardens. Untapped land however abounds in some parts of the country. This gives some leeway for mechanization and the possible development of large-scale agriculture. However, the vast majority of farmers grow for their own subsistence and a large proportion of them practice inter-cropping, especially with maize as the main crop. Despite some apparent increase in agricultural production during recent years, the sector suffers from lack of investments that could provide a more business-friendly environment. This particularly concerns market infrastructure and public services like extension and agricultural statistics.

(...)

Climatic conditions

Two climatic zones correspond to the northern and the southern part of the country, and they are divided by mountains and a central plateau: The northern part has one rainfall peak within the wet season lasting between four to six months. The coastal areas receive on average from 500 to 1 500 mm of rainfalls yearly, while above 500 m rainfalls vary between 1 500 to 3 000 mm. The southern part has two rainfall peaks during the wet season which lasts between seven and nine months. The first peak is situated in December and February and the second peak manifests itself in May and June. Coastal areas get an average annual rainfall from 1 500 to 2 000 mm, while the areas above 500 m receive more abundant rainfall from 1 700 to 3 500 mm. Starting with the onset of the main, northeast-monsoon, and rainy season, the agricultural cycle in Timor-Leste normally begins in November with land preparation and planting of maize in upland, followed by nursery preparation and transplanting of rice in lowland, in December/January in the northern part, and a month or two later in the south coast. Harvesting of maize begins from February and completes in April,

while harvesting of wet season rice is around June/July in the north and August/September in the south. In the south where there is a second rainy season (maize and rice) in areas with some supplementary irrigation. The relative importance of the second crop is however small, approximately 10 percent of the total production areas. Planting is around 90–110 days prior to the harvesting of maize and rice while generally cassava is planted in December inter-cropped with maize".

Farming systems

Low input/output subsistence farming forms the bulk of Timorese agriculture. Shifting cultivation, often based on slash and burns is widely practiced. Soils are shallow in a large proportion. Inter-cropping of maize and cassava is usual on steep slopes situated in the northern area of the country but also in the more fertile terrain found in the southern part of the country. Cowpeas and sweet potatoes are also cultivated at the onset of rains in November. While cereals and cassava are grown in most parts of the country, other crops like sweet potatoes, Irish potatoes, beans and bananas constitute a significant portion of the diet of subsistence farmers and bring useful nutrients, two characteristics which explain their important role as coping mechanism in difficult periods, hence their important contribution to overall food security. The main lowland rice is generally irrigated but also to a smaller extent is grown as rainfed, while upland rice is in most cases rainfed. Irrigated areas are often poorly maintained and managed and some networks need urgent, large scale, repair. Other crops include yam, soybean, taro (swamp and upland), squash, pumpkin,

cabbage, onion, peanuts, sago, coconuts, fruits, coffee, and tobacco. The availability of the produce varies rather widely according to the location, season and tradition in line with the fact that the country is very heterogeneous despite its small size.

(...)

3.5 Livestock

Livestock raised in Timor-Leste include cattle, buffalo, sheep, goats, pigs and poultry. Production is mostly on a small scale and based on traditional systems with no commercial livestock in rural

areas. Pigs and poultry are mostly raised at household level to meet basic needs of the family, namely: (i) to be used to fulfil social obligations, (ii) to be sold in case on unexpected/unmet cash requirements, and (iii) to be consumed by the family on special occasions. Buffalo is raised mainly to provide animal power in paddy rice farming systems, being meat consumed when available as a by-product. Cattle, buffalo, sheep and goats are considered as family assets and therefore marketed only when strictly necessary, with the exception of the districts bordering West Timor where cross-border trade represents an important source of income due to the higher prices for livestock in Indonesia. Animals are generally left roaming freely on extensive areas with little or no feed supplementation. Overgrazing and land degradation are commonly observed along the Northern coast.

Australia, Timor-Leste and the Timor Sea oil and gas reserves

- In May 2002, Australia and Timor-Leste signed the Timor Sea Treaty giving the latter 90 per cent of oil and gas revenues over a small area, but only 18 per cent of the wider and more lucrative Greater Sunrise Field.
- Under international maritime law, most of the Greater Sunrise Field would belong to Timor-Leste.
- Between 2002 and 2006, negotiations between the countries dragged on and it is only in January 2006 that a new agreement was signed. Under the agreement, both countries are to share the revenues 50-50.
- In February 2007, the Timor-Leste parliament ratified the treaty, which came into effect three days later. The Australian government invoked the clause of "national interest" to bypass its parliament.

In 1989, Australia signed an agreement with Indonesia, known as the Timor Gap Treaty, which gave Australia a very generous deal in the exploitation of the vast oil and gas resources located under the Timor Sea. In May 2002, Timor-Leste and Australia signed the Timor Sea Treaty, an interim agreement under which Timor-Leste is entitled to 90 per cent of oil and gas revenue, but which covers a very limited area of the much wider and lucrative Greater Sunrise Field, where oil and gas reserves are estimated at \$30 billion. Under this temporary agreement Timor-Leste's share of revenue from the Greater Sunrise Field is limited to 18 per cent, although most of it lies within what would normally be considered as Timor-Leste maritime boundary under international maritime law (Oxfam, December 2003). While negotiations between the two countries dragged on in the following years, depriving Timor-Leste of a badly needed revenue stream to finance its development, Australia continued to enjoy the large benefits of the exploitation of oil and gas reserves. In January 2006, both countries signed the CMATS treaty under which Timor-Leste is entitled to half of the revenues, giving it a projected \$15 to \$ 25 billion in the next 20 years.

With the Timor-Leste Parliament still to ratify the treaty -a condition precedent to the exploitation of the oil and gas reserves- dissenting voices in the country urged the parliamentarians to reject the treaty arguing that giving away half of what would be mostly considered as Timor-Leste's property under international wasn't adequately protecting the rights of the country and that a better deal should be sought (Symonds, Peter, 12 July 2006). Indeed, one of the conditions set forth by the treaty was that Timor-Leste put its claims to rights, jurisdiction and maritime boundaries on hold for the next 50 years (Australian Parliament, June 2007, p.40). On 20 February 2007, the Timor-Leste Parliament finally ratified the CMATS treaty. The Australian government invoked the "national

interest” exemption clause to bypass the Parliament and the agreement came into force three days later on 23 February 2007 (La’o Hamutuk, 16 March 2007).

SOURCES:

ABC, 20 February 2007

"East Timor's Parliament has finally agreed to ratify an agreement with Australia over the management of oil and gas resources in the Greater Sunrise field in the Timor Sea. The country's Prime Minister Jose Ramos-Horta, has welcomed the agreement's approval after a year of parliamentary debate.

"With this agreement, large investors such as Woodside, can start to invest in the Greater Sunrise to manage oil and gas," Dr Ramos-Horta said.

Woodside Petroleum, which operates the Greater Sunrise field, froze the multi-million-dollar project in 2004 as negotiations between Australia and East Timor dragged on. Under the accord, Australia and East Timor will split the royalties from the field 50-50."

Symonds, Peter, 12 July 2006

"Immediately after being sworn in, Ramos-Horta made another pledge to Canberra, vowing to quickly push legislation through the East Timorese parliament ratifying a deal with Australia over the division of proceeds from Greater Sunrise, by far the largest of the Timor Sea oil and gas fields. "We cannot be known as a country that signs agreements and then doesn't ratify them. Our credibility as a state and as a government is at stake," Ramos-Horta blandly declared.

Alkatiri's refusal to buckle to Australian bullying in negotiations over the Timor Sea energy resources was one of the main reasons for Canberra's hostility to his government. While an agreement was finally signed in January, it has not been ratified because of opposition from those who still felt that it conceded resources to Australia that under international law belonged to East Timor. The Australian resources corporation, Woodside, has been waiting on ratification before resuming development work on the gas field, conservatively estimated to contain \$20-25 billion of reserves."

UNIYA, 3 September 2004

"While the politicians make their decision by Christmas, the officials, painstakingly, have to negotiate maritime boundaries in the Timor Gap which is the gap left in 1972 by Australia and Indonesia when they set boundaries for their respective continental shelves. The gap is the seabed opposite East Timor which was under the jurisdiction of Portugal prior to 1976. The delineating of the continental shelf determines which government has sovereignty to exploit oil and gas reserves.

Australia and Portugal never reached agreement about a boundary. From 1953 to 1976, consistent and opposed positions had been adopted by the governments of Australia and Portugal. Mining companies had conducted exploration activities consistent with the licences they

were granted by either government. Throughout, Portugal was consistent, insisting that it had control of the resources on its side of the median line between Australia and Timor. Australia was consistent, insisting that it had control of the resources on the continental shelf up to the Timor Trough. Australia argued that this 3,000 metre deep trough was a natural geological feature marking the end of the Australian continental shelf on one side and the end of the narrower and steeper Timor continental shelf on the other side.

By 1989, Australia and Indonesia were unable to reach agreement on a seabed boundary in the Timor Gap even though Indonesia's national interest would have been well served by a maritime boundary finalisation that recognized Indonesia's sovereignty over East Timor and its adjacent seabed. Back in 1972, Indonesia had conceded Australia the entire continental shelf under waters less than 200 metres in depth. But international law moved on. By 1989, Indonesia would have been more likely to succeed in a claim for continental shelf up to a median line drawn midway between Australia and Indonesia. Given these complexities, Australia and Indonesia decided to leave boundary agreements well alone, and to finalise a treaty providing a sharing in the government revenues from mining projects in the Timor Gap."

Oxfam, December 2003

"The tens of billions of dollars worth of oil and gas resources contained in the Timor Sea, a 135 nautical mile stretch of seabed between Australia and East Timor, represent the greatest hope for realising the East Timorese men and women's basic needs, including economic development, health and education.

The relative share East Timor will receive from this wealth in the Timor Sea is dependent on where the maritime boundary between Australia and East Timor is drawn. Australia and East Timor have not agreed to permanent maritime boundaries. For more than a year, East Timor has requested that the two nations agree to a timely process for negotiations to determine the maritime boundaries between East Timor and Australia. Despite agreeing to commence boundary negotiations in Darwin in November, the Australian Government has refused to agree a timetable or an end date for resolving the issue.

The Interim Timor Sea Treaty

Until the maritime boundary issue is settled, Australia and East Timor have signed a number of interim resource-sharing agreements on the Timor Sea oil and gas fields. As a new nation, with extremely limited national revenues, East Timor is dependent on timely revenue flow these oil and gas reserves.

The principal interim arrangement is the Timor Sea Treaty, signed in May 2002. The Treaty is meant to be a 'provisional arrangement of a practical nature', that is 'without prejudice' to the final delimitation of a maritime boundary, as required by the United Nations Convention on the Law of the Sea (UNCLOS).

The Treaty confirmed the establishment of a Joint Petroleum Development Area (JPDA) to establish temporary maritime boundaries, (for details see map attached). The establishment of the JPDA was derived from the 1989 Timor Gap Treaty between Australia and Indonesia, a treaty that heavily favoured Australia because the major oil and gas fields lie in territory claimed by Australia extending to the edge of the Australian continental shelf, sending the vast bulk of revenue flows to Canberra.

A generous deal for East Timor?

At first glance the terms of the interim Treaty appear generous to East Timor, which will receive 90% of oil and gas revenue from the Joint Petroleum Development Area (JPDA). Most of this revenue – worth up to \$3 billion - will come from the relatively small Bayu Undan gas field.

However, many East Timorese see Australia's generosity as limited to only one slice of a greater Timor Sea cake to which East Timor is entitled to lay claim. Because most of the much larger and more lucrative Greater Sunrise Field (estimated to be worth up to \$30 billion) lies outside the current JPDA, East Timor is only entitled to 18% of this revenue under the current interim arrangements. In addition, East Timor will receive nothing at all from the Corallina/Laminaria field, currently providing \$600 million in revenues to the Australian Government.

Where should the maritime boundary be drawn?

Under international maritime law, East Timor could successfully lay claim to a far greater proportion of the oil and gas reserves of the Timor Sea.

Under current international maritime law, where the distance between two countries is less than 400 nautical miles, a median or middle line between the coastlines is the acceptable mechanism for establishing boundaries through the provisions of the United Nations Convention on the Law of the Sea (UNCLOS). Since the early 1980s, such median lines have been the preferred method for countries and the International Court of Justice (ICJ) to determine maritime boundaries between countries less than 400 nautical miles apart.

However, the Australian Government has rejected establishing a maritime boundary along a median line between the two countries.

Is Australia Playing Fairly in Negotiations?

A growing number of East Timorese believe that the Australian Government is displaying a lack of good faith in the maritime boundary negotiations.

Under normal circumstances, when a maritime boundary cannot be agreed by two countries, the matter can be referred to an independent umpire to make a determination – the International Court of Justice. However, when East Timor pointed out that it could seek to have the matter independently adjudicated by the International Court of Justice, the Australian Government formally withdrew from the dispute settlement procedures offered by the International Court of Justice and the International Tribunal on the Law of the Sea with respect to maritime boundary disputes.

This tactical manoeuvre, perceived by the East Timorese Government as an 'unfriendly act', has effectively removed any opportunity East Timor might have had for seeking an independent, third party resolution of the maritime boundary dispute. These actions left East Timor with no legal mechanism to establish its boundaries in the absence of cooperative negotiations from Australia.

This has led to growing claims that the Australian government has consistently obstructed any attempt to settle permanent seabed boundaries. Many observers fear that the Australian government will continue to delay negotiations to establish permanent boundaries within a reasonable amount of time because the current interim arrangements for revenue flows favour Australia at East Timor's expense.

Central to this view is the estimated \$30 billion revenue from the Greater Sunrise field, which would lie entirely within East Timor's maritime boundaries under the UNCLOS median line principle. However, under the current interim arrangements, 82% of the revenue from the Greater Sunrise field goes to Australia and only 18% to East Timor."

East Timorese women traditionally restricted by the gendered norms of culture and customs

- East Timorese women are victims to a sexual division of labor which sees them carry the heaviest burden while being discriminated against economically and politically on land and property issues.
- From birth to marriage, women are kept under the sphere of influence of men and have limited opportunity to have their basic economic, social and political rights fulfilled.
- Almost two-thirds of women from 15-60 years old are illiterate, compared to half of men.

ICTJ, December 2006, p. 289

"Traditionally, East Timorese women have been restricted by the gendered norms of culture and custom. The majority of East Timorese women live in rural villages, where the sexual division of labor demands that they carry the heaviest burden. Besides a range of domestic tasks—gathering firewood and water, cooking, caring for children, the elderly and the ill—they also work alongside men in the fields. Men, on the other hand, have economic and political advantages derived from their rights to land and property, as well as their traditional role as negotiators in the public sphere. The economic security offered a woman through the custom of barlaque (bride price) in reality means that at marriage a woman simply moves from her father's domain of power, influence and control into the domain of her husband and his family, a process that, in effect, excludes her from access to basic economic, social, and political rights. According to the United Nations Children's Fund (UNICEF), in Timor-Leste the maternal mortality ratio is 800 per 100,000 live births, and many women are anemic, which increases the risk of hemorrhage during delivery. More than 80% of births take place in the home, and there is a high incidence of low birth weight.²⁴ Female-headed households now stand at 14%, female literacy is 35% and the few women in the labor force are concentrated in lowskilled jobs."

UNDP, January 2006, p. 2

"Women in Timor-Leste suffer significant discrimination – in the household, the workplace and the community. Girls are more likely than boys to drop out of school and almost two-thirds of women aged 15-60 years are illiterate, compared with less than half of men. Women also suffer discrimination at work: they are less likely to work in the formal labour force and they are paid significantly less than men.

Women now have more access to information on reproductive health but many still lack full access to family planning services. As a result, Timor-Leste's women tend to have high fertility rates and many die in childbirth – the maternal mortality rate is up to 800 per 100,000 live births.

The extent of discrimination against women is evident in the gender-related development index (GDI). This shows a slight improvement since 2001, largely due to an increase on female incomes, though this was offset to some extent by a poor performance in education.

Another serious concern is gender-based violence. Women continue to be subjected to domestic violence, sexual harassment in the workplace, rape and other forms of mistreatment and sexual abuse. Around half of women in intimate relationships suffer from some form of violence."

East-West identities in Timor-Leste

- According to the most east Timorese interviewed for a USAID study, the east-west divide is a political manipulation. Despite having little 'reality' in Timor-Leste's history of inter-group relations, the activation of these regional identities has transformed this divide into a self-perpetuating feature of social relations which is likely to persist in the future.
- Interviews conducted for the UN inquiry in the April/May events have expressed opposing views on the east-west issue, some pointing to it as a new phenomenon and others saying it dated back to the Portuguese era.
- The UN report contends that the east-west divide is a simplification of a more complex reality and that its rise can partly be explained in the context of a poorly defined national identity with political interests and communities having become embroiled in the issue.
- Rebecca Engels contends that the east-west divide can be traced back in the country's history, in particular in economic rivalries between the east and the west and the resistance against the Indonesians which was mainly fought in the east.
- According to Andrew Harrington, an east-west divide did exist prior to the April/May unrest. This distinction is best expressed in an opposition between *firaku* (east) and *kaladi* (west), a division, which is geographic and somewhat political, but not 'ethnic' as each group comprises multiple ethnicities, languages, cultural identities, and language families.

USAID, November 2006, p. 16

"Manipulation and amplification of East (*lorosae*) – West (*loromonu*) identities has become a dominant and self-perpetuating feature of inter-group relations in Timor-Leste. This is significant since once these sorts of divisions have been activated and people are targeted because they belong to a particular group, identity tends to become more rigid and antagonistic. The historical record from around the world shows that once these prejudices solidify, there is likely to be little room for moderation or compromise.

Most Timorese interviewed by the team expressed a strong view that the *lorosae* – *loromonu* divide is a political manipulation rather than an entrenched fault line with substantive organic roots. However, conceptualization of problems in identity-based terms has nevertheless become ubiquitous within the broader population. This is fuelled in no small part by fear, but also by an apparent willingness on the part of many Timorese to accept the proposition that there are in fact fundamental differences between *lorosae* and *loromonu*. This new identity-based schism is therefore likely to persist as a fault line that can be manipulated as an incentive or used as an organizational means for violence in the future."

OHCHR, 2 October 2006, p. 20

"31. The current crisis has been created partially, but exacerbated significantly, by communal factionalism. This factionalism is most commonly articulated in the perception that persons from the east and west of Timor-Leste discriminate against each other. The Commission has heard opposing views on the origin and longevity of this cleavage. On the one hand it is suggested that it is a totally new phenomenon, as evinced by the total absence of the issue in the thousands of testimonies collected by the Commission for Reception, Truth and Reconciliation. On the other, the Commission of Inquiry has been told that it is a long-dormant issue dating from the Portuguese era. Most people interviewed by the Commission agree that the east-west phenomenon was manipulated during the crisis by groups with specific political interests.

32. In the view of the Commission the east-west division is a simplification of a far more complex issue. Timor-Leste has no modern history of concerted political violence between easterners and westerners as unified and opposing groups. However, there are sensitive divisions within Timorese society relating to notions of national and communal identity. The poorly defined national identity, particularly in the absence of a common enemy post-1999, is critical to an understanding of how the east versus west distinction has arisen in recent years. This division infected both F-FDTL and PNTL prior to 2006, as manifested in actual or perceived acts of discrimination and nepotism. Additionally, political interests and communities have become embroiled in the issue."

Engel, Rebecca, August 2006, p. 9

"Despite most people's perception that the East/West issue was no more than a stereotype, there are historical grievances that have existed between certain groups in the East and others in the West. At times there has been tension among Makasae traders from the East who have a traditionally strong presence throughout the country's markets. Similarly, following the Indonesian invasion, many in the West were killed, leading the resistance to seek out the more secure base in the Matebian Mountains of the East. The rich agriculture lands of the Western districts enabled farmers to contribute financially to the resistance through their coffee and rice sales. At the same time, the Indonesians had a particularly pronounced presence in the West of the country stemming from their invasion over the mountains along the border.

Unfortunately today, what may have been small prejudices held by some within Timor-Leste, can no longer be assumed to be irrelevant. Whatever the initial motivation of the youth that went on a rampage throughout the capital, the impact has been an increase in fear and anger. The cleavage between East and West exists perhaps in a way it did not before as some people reference this as a rationale for threats and violence. It may be useful to explore this issue more systematically to ensure that divisions within society are not unwittingly being reinforced in the future.

At the same time, to focus alone on East/West cleavages is insufficient. Evidence suggests that there is not one motivating factor behind the violence and destruction. Rather, it appears that each neighbourhood has its unique challenges and issues. Certain families have been targeted because of their political or familial association, others are targets of socio-economic jealousies couched in ethnic sentiments. Yet others are victims of random gang violence, land and property disputes, or historical political tensions that are just now re-emerging as the conditions are ripe. Much of the destruction has occurred on government land occupied in 1999 with the withdrawal of Indonesians; the motivational factors for violence are relevant as strategies to rebuild the destroyed homes and kiosks are developed."

Harrington, Andrew, February 2007, p.

"Many international staff and foreigners are sceptical of reports citing 'ethnic split' as the cause of recent conflict; certainly an unreported east-west divide could not have arisen or remained hidden since the 1999 referendum? Mild jokes about east and westerner Timorese do circulate, but they are of a trivial nature and furtive at most. Many locals, national NGO staff, and

community leaders agree – there is no real problem between east and western Timorese. However, with incomplete knowledge, those inquiring into recent events are perhaps asking the wrong questions.

With enough background knowledge of the situation, one might phrase their questions differently. The use of two ‘magic’ words (or ‘concepts’) entirely changes responses from the Timorese. It would become clear the international community was oblivious to a serious pre-existing internal dispute, one with now threatens to sunder the country in two.

Violence along east-west lines in Timor-Leste is not a new phenomenon. Rather, it has been noted as early as the 1940’s, yet did not receive much attention from foreign scholars present. At the time it was misinterpreted as common conflict between Timorese kingdoms, typical of the colony at the time. The distinction and conflict between firaku and kaladi, or broadly speaking between east and west, has since been widely accepted within Timor-Leste, though not all Timorese would identify with either group.[31] Indeed “on the streets of Dili, among local East Timorese, there is a popular distinction made between talkative easterners (firaku) and more taciturn westerners (kaladi).”[32] The issue, however, has become deeply politicized in recent times.[33]

The terms themselves, firaku and kaladi refer broadly to a geographical distinction between those from the Eastern portion of Timor-Leste, and those from the West. The division is geographic and somewhat political, not per se ethnic using traditional definitions thereof, as each group comprises multiple ethnicities, languages, cultural identities, and language families.

(...)

Using these definitions, estimates show firaku make up a minority between 30-40% of the population and kaladi a majority of 50-70%.[37]

Dionisio Babo Soares, current head of the Timorese side of the Truth and Friendship Commission with Indonesia, explains in his 2003 thesis multiple opinions exist on the origin of the two terms. The most popular view sees the terms as being Portuguese derived, referring to the attitudes and comportment of inhabitants from eastern and western TimorLeste. Accordingly, the terms may be phonologically derived from Portuguese, namely the terms, ‘calado’ (silent, quiet, hushed) and ‘vira o cu’ (to turns one’s backside to a speaker in a rude manner). ‘Calado’ was apparently used in reference to westerners “because of their slow, quiet, taciturn attitudes”, while ‘vira o cu’ was used for easterners “because of their temperamental attitude and stubbornness. As a group they would not hesitate to turn their backs – or backsides – to their masters when called to observe instructions.”[38]

Districts Commonly Associated with *Firaku* and *Kaladi*

| Firaku | Kaladi |
|--------------------|----------------|
| Baucau | Dili |
| Viqueque | Liquiça |
| Lautém (Los Palos) | Aileu |
| Manatuto | Ainaro |
| | Manufahi |
| | Ermera |
| | Bobonaro |
| | Cova Lima |
| | Oecussi/Ambeno |

This most common view sees the two 'pidginized' Portuguese pronunciations of kaladi and firaku and perhaps points to colonial roots of the distinction. Such colonial inventions have often served administrative purposes, particularly in Africa (e.g. Hutu & Tutsi in Rwanda);[39] the full origin of this historical split merits additional research.

Regardless of the origin, evidence suggests the stereotypes were popularized by the 1940's in Dili (though perhaps earlier) where both 'groups' congregated seeking access to designated market spaces and property. They made their way to Dili, populated slum areas, created 'ghettos', and began running small businesses. Dili itself may once have been considered a Mambai area, e.g. kaladi, but as the colonial capital, it was an obvious draw for Timorese merchants from other areas who flowed into the city from east and west, "controll[ing] transactions in the local market, including the selling of fruits, vegetables, and other items." [40]

Arguments and violence were common, leading to "street battles and killings among [east and west]. The absence of law enforcement at the time – which concentrated more on protecting the colonial government's interest – turned this rivalry into a kind of tradition." [41] There was intense competition over limited land and market space in Dili's Mercado (now known as Mercado Lama).

As people continued to move into Dili, association with one's geographic origin as a 'community' –loromonu and lorosae – became the norm for both 'groups'. Individuals likely identified with their respective communities based on perceptions of shared beliefs and a shared common 'enemy'. [42] Community in this sense refers to the aspect of people's identity deriving from feeling connected with groups they can identify with, feel recognized by, and thereby feel validated. [43] In this way it seems the concepts and terms, firaku and kaladi, have become ingrained in Timorese culture, and fits with the definitions. The distinction seems to be relegated largely to Dili where both groups are in close contact with one another."

Demographic factors have increased the vulnerability of Timor-Leste to civil conflict

- The authors contend that Timor-Leste particular demographic situation has exacerbated the country's vulnerability to conflict, a conflict which has been largely brought about by the following stress factors: a) a high proportion of teenagers and young adults with few employment opportunities, b) high in migration rates in Dili with its social and economic consequences, and c) a strong regional component opposing migrants of different origins.
- It is projected that if fertility, mortality and in-migration in the capital city remain constant, the population of Dili will be 303,115, that is, the population will increase by 72.5% in 10 years.

Neupert, Ricardo & Lopes, Silvinio, September 2006, pp. 41-42

"This study has attempted to identify and examine possible demographic components in the civil conflict that Timor-Leste is currently experiencing. Using a theoretical framework that proposes that the position of societies in the process of demographic transition is related to vulnerability to conflict, three socio-demographic risk factors were analyzed: a) a high proportion of teenagers and young adults in the population combined with little opportunities of employment other than in the predominant subsistence sector of the economy; b) high in-migration rates to Dili and the consequent rapid urbanization that the capital city is experiencing; and c) the surfacing of a strong regional component in the conflict as a result of the presence in Dili of migrants of different origin.

There is convincing evidence that, in fact, the previously mentioned variables have been important stress factors and they have shaped some of the main characteristics of the conflict. The facts that the unrest is centered mainly in Dili and that it has adopted the form of violent street gang fights representing eastern in-migrants on one side and westerners and Dili natives

on the other, suggest that the previously mentioned three demographic processes are, in fact, factors that have increased the vulnerability of the community to civil conflict.

It is important to mention that what is proposed here is not that demographic factors are the cause of Timor-Leste civil unrest. The conflict is complex, caused by the interaction of multiple determinants, and cannot be reduced to demographic processes. However part of the problem is related to the population position of the country at the initial stages of the demographic transition.
(...)

Population in East-Timor is growing extremely fast (3.2% per year). The working age population is growing faster (3.4%) and the 15 to 24 years population, which is usually entering the labor force, is growing even faster (3.7%). This growth is even more substantial in Dili due to in-migration. A simple projection exercise, considering that fertility, mortality and in-migration in the capital city will remain constant in the next few years, indicates that the population of the city will increase from 175,730 to 233,508 between 2004 and 2009, that is, an annual increase of 5.7%. In 2014, if mortality, fertility and net migration rates remain constant, the population of Dili will be 303,115, that is, the population will increase by 72.5% in 10 years.

Planners and policy makers must find forms to accommodate this population in the economy and, in general, in the society. The problem is that there is no pace of economic growth, no matter how rapid and sustained it may be, no feasible employment structures reforms to be carried out, and no possible job creation policies to be implemented, that will be able to result in an occupational absorption of such a huge labor force increase. This massive labor force supply will undoubtedly become a major economic, social and political problem both in rural and in urban areas."

Alignment of youth gangs with political factions has exacerbated the 2006 unrest

- Youth gangs, which caused much of the April/May destruction, have an estimated 20,000 members registered throughout the country.
- Many gangs have political as well as regional affiliations and have infiltrated security forces and the police. Strong allegiances to the martial arts groups within the security forces and the 'ethnic' nature of the crisis have had inflammatory effects on the conflict.
- Post-conflict resettlement land disputes seem to be a major source of ongoing violence evidence suggesting that burnings and intimidation campaigns against easterners revolve around individual property disputes. Eastern families have often illegally occupied dwellings left vacant after 1999 and are being violently evicted by youths, many of whom have reportedly been paid.
- The issue of gang violence has not featured prominently in the 2007 presidential campaign.
- A youth survey conducted in 2005 showed three main findings: widespread concerns about security and the lack of employment opportunities, endorsement of violence by a significant minority of young people and finally, for most young people, the involvement in martial arts groups was a matter of self-identity.

AusAID, 15 September 2006, pp. 1-4

"The recent civil conflict in East Timor has been highly revealing not just of the social and political divisions within the Timorese security forces, but also of the existence of a large number of gangs, who perpetrated the bulk of the destruction following the disintegration of the police force. The enmity between the different branches of the security forces has been well documented, subject to enquiries and a series of national dialogue seminars. Little has been written however, about gang violence in East-Timor, yet it has been a constant feature of the East Timorese post-independence landscape.
(...)

The martial arts groups have long been a concern, with some 15-20 martial arts groups, and registered members estimated at around 20,000, almost all male.² The alignment of some martial arts groups with different political factions has escalated the current conflict. One group 'Korka is officially aligned with Fretilin, and PSHT is widely identified with the two main opposition parties the PSD and PD. The use of these gangs for political intimidation can be seen from recent serious clashes in Ermera, Gleno, and Suai. The leader of another group, Kung Fu Master, was also killed during clashes between police and army in Tibar, early in the conflict.

The infiltration of martial arts groups into the security forces has further inflamed the situation, in addition to creating a potential for conflicting loyalty. Some martial arts group members interviewed for this study said deference to 'wargas' or martial arts masters take precedence over other loyalties. Abilio Massoko for example, a former resistance leader, was a police commander and leader or 'warga' of PSHT. Massoko, also known as Abilio Audian, was arrested for distributing guns in the recent conflict. PSHT members received guns, although it's not established if they received them from Massoko. Police are also often accused of siding with one group against another during martial arts clashes. (See Figure 5)

(...)

Of most concern however is the apparent ethnic nature of the current conflict. Some have been quick to dismiss this rivalry as being politically driven, yet the fighting between western and eastern gangs in Dili also considerably predates the current conflict. In Dionisio Babo Soares' Doctoral Thesis 'Branching From the Trunk: East Timorese Perceptions of Nationalism in Transition' he describes continuous clashes between the two groups since independence, and even since World War Two, resulting in numerous casualties. ³

(...)

The shooting of demonstrators on April 28 and the murder of twelve police on May 25 this year near the UN compound in Dili have also polarised views on ethnicity. Many people now reductively cite these events to justify anti-eastern views, saying that easterners killed westerners, and therefore should be punished. A payback motive undoubtedly generates a great deal of the random violence taking place, especially against the refugee camps, in turn leading to retribution by eastern gangs.

Land disputes arising from post conflict resettlement also seem to be a major source of ongoing violence, especially disputes over ownership of the former Indonesian civil service accommodation around Taci Tolu, Perumnas and Surik Mas. There's strong evidence that some of the current spate of house burnings and intimidation campaigns against easterners revolves around individual property disputes, where eastern families have often illegally occupied dwellings left vacant after 1999, and efforts are now being made to violently evict them. There's anecdotal evidence that gangs are being paid to enforce these evictions. However in some areas now effectively cleansed of easterners such as Perumnas, gangs are now merely turning on each other, so this explanation is not comprehensive.

Many gangs appear to be led by former resistance figures, such as Lito Rambo, Kommandante Mau Kiak (recently arrested on August 18 this year) Sintu Kulao, and Ameu Van Damme. These figures are in turn said to be loyal to different factions within the security forces and political parties, with loyalties and enmities dating back to resistance times. There's also evidence to support the contention that this is a turf war between these groups to some degree, for control of gambling, extortion and border smuggling rackets.

(...)

As this study found, it's impossible to generalise about these groups, which comprise a broad spectrum from small, informal groups of young males who mostly just play guitar and drink, highly cohesive, organised youth groups with coherent objectives and a range of sporting and civic activities, to large organised, ethnically based criminal gangs."

ICG, 13 June 2007, p. 8

"Gang violence, another huge social problem especially in Dili, has not been raised in the campaign. Since 2000 clashes involving martial arts groups and urban gangs have occurred in all districts, causing a number of deaths. The 2006 breakdown in traditional authority structures and the simultaneous collapse of the formal security sector exacerbated the problem, particularly in Dili, where the violence often reflected an east-west divide. All parties seem to agree that the rift must be healed, that there should be dialogue with gangs and that certain gang members must face justice. But no one has practical policy recommendations to match the rhetoric."

Curtain, Richard, 2006, p. 4

"I could foresee the potential for conflict emerging but could not predict how far it would deteriorate. Residing in Dili in late March and early April, 2006, I observed clear signs that the Government was turning its back on a problem that could easily escalate, particularly if the size of the protests grew and the authorities applied force in an excessive way. My insights came from a national youth survey I helped to design and administer in late 2005 and early 2006. On an assignment from UNICEF to help develop a national youth policy, we interviewed a random sample of over a 1,000 young people aged 15 to 35 years.

Key results of a national youth survey

Three of the national survey findings stood out. First, concerns about security dominated the responses of most respondents. Young people's need for increased sense of security, civil order and well-being was fundamental to how they viewed their situation. This need underpinned, for example, their attitudes to whether they believed they could play a positive role in the community or not.

Young people's concern about security reflects the deep trauma most of the population had suffered during the Indonesian occupation. However, the survey responses also refer to widespread fears among young people about a lack of economic insecurity due to unreliable sources of income. In many cases, food insecurity was a major concern, stemming from drought and low yielding subsistence crops.

A second key finding of the survey was the endorsement of violence by a significant minority of young people. One in five young people agreed with the statement that 'violence should be met with violence'. This response was stronger among 15 to 24 year olds.

Most young men in Timor Leste are involved in martial arts groups. However for many this involvement is more a matter of self-identity in a society where there are few other ways of acknowledging the place of young people. The survey found that violence by young men was more likely to occur where the community leadership was weak. In the areas where young people were more predisposed to violence, survey respondents were twice as likely to agree that their community leaders had failed to resolve local conflicts."

Political background

From decolonisation to independence (1974-1999)

- Timor-Leste's fight for independence started in 1974, when the Carnation Revolution in Portugal caused political agitation in what had been its south-eastern colony for nearly 400 years.
- Following a short civil war, thousands of people were killed and tens of thousands displaced to West Timor. On 7 December 1974, only days after the FRETILN movement had declared the independence of Timor-Leste, Indonesia invaded the country.
- In 1979, East Timor was declared 'pacified'.
- Between 1980 and 1987, the resistance led among others by Xanana Gusmao reorganised and a split appeared between Gusmao and the FRETILIN leadership as the former wanted an all-nation resistance including all political parties.
- The imprisonment of Gusmao in 1992 made him the primary political figure of the resistance.

OHCHR, 2 October 2006, pp.16-17

"19. The 1974 Carnation Revolution in Portugal triggered political activity in Portuguese Timor. The Timorese Democratic Union (UDT) was formed in May 1974 and ASDT shortly thereafter. ASDT became FRETILIN in September 1974. The relationship between these two parties had deteriorated by mid-1975. On 11 August 1975 UDT launched a pre-emptive armed attack upon FRETILIN. The counter-attack was launched on 20 August 1975. This date is now commemorated as the day of the founding of the Armed Forces for the National Liberation of East Timor (FALINTIL). A short civil war ensued in which thousands of people were killed in combat, hundreds of political prisoners were executed and tens of thousands of civilians were displaced to West Timor. On 7 September 1975 the UDT leadership issued a petition calling for the integration of Portuguese Timor into Indonesia.

Indonesian invasion, occupation and the Timorese resistance

20. On 28 November 1975 FRETILIN made a unilateral declaration of independence. The following day the four other Timorese political parties met in Bali and issued a joint declaration calling for the integration of Portuguese Timor within Indonesia. On 4 December 1975 a FRETILIN delegation left Timor-Leste to seek diplomatic and economic support for the anticipated military confrontation with Indonesia. That delegation included José Ramos-Horta, Mari Alkatiri and Rogerio Lobato. On 7 December Indonesia invaded Timor-Leste.

21. Dili fell quickly to the invading army. Between late 1975 and early 1978 FRETILIN/FALINTIL controlled the interior regions of the country, in which a significant part of the population sheltered. At a FRETILIN national conference that was held in mid-1976, zonas libertadas (liberated zones) and bases de apoio (resistance bases) were established. By February 1979 the last two bases de apoio, which were situated in the west of the country, fell. On 26 March 1979 the Indonesian encirclement and annihilation campaign, Operation Seroja, was discontinued. Indonesia declared that Timor-Leste was pacified.

Reorganization of the resistance

22. By 1980 the resistance was in disarray. Xanana Gusmão, one of three surviving members of the 1975 leadership inside Timor-Leste, was elected as both Commander-in-Chief of FALINTIL and National Political Commissar of the FRETILIN Central Committee. In the face of opposition from the hard-line FRETILIN faction, he adopted a policy of resistance based upon national unity rather than upon FRETILIN partisanship. Timorese society was encouraged to suppress internal political differences and unite against a common enemy. In December 1987 Xanana Gusmão resigned from the FRETILIN Central Committee and severed the connection between FALINTIL and FRETILIN. FALINTIL became the armed wing of the newly created National Council of

Maubere Resistance (CNRM). This Council included FRETILIN, UDT and other nationalist parties. As a result, FRETILIN lost absolute control over the policies of the resistance. The resulting tensions between Xanana Gusmão and much of the FRETILIN leadership still reverberate within Timor-Leste today.

23. The 1991 massacre at Santa Cruz cemetery, in which Indonesian forces shot into a crowd of people gathered at the funeral of a youth killed by the same forces, killing 271 persons and injuring 362 more, both cemented the national unity basis of the resistance and hastened the rise of the civilian clandestine movement. In November 1992 Xanana Gusmão was captured and imprisoned by the Indonesians, making him the primary political figure of the resistance. Concurrently, the clandestine resistance movement expanded across the country and a popular movement was re-established. On 30 August 1999, 78 per cent of the Timorese population voted for emancipation from Indonesian administration in the United Nations-sponsored Popular Consultation. In anticipation of the result, Indonesian security forces unleashed militias upon the population. Wide-scale burning and looting occurred as 1,500 people were killed and hundreds of thousands displaced."

FRETILIN assumes total control of government (1999-2006)

OHCHR, 2 October 2006, pp. 18-19

"24. The United Nations Transitional Administration in East Timor (UNTAET) period was one of great change. Party politics returned to the country for the first time since 1975. Critically, many of the 1975 political leaders assumed political prominence in the new domestic environment. In May 2000, FRETILIN held its first major political conference in Timor-Leste in 25 years. The party withdrew from the Xanana Gusmão-led umbrella organization National Council of Timorese Resistance (CNRT), the successor to CNRM, shortly thereafter. PSD was founded in July 2000, followed by PD in mid-2001. In the August 2001 elections FRETILIN won a 57 per cent majority of the popular vote and all but one of the district seats. Ultimately, FRETILIN acquired 55 of the 88 seats in the Constituent Assembly. Significantly, support for FRETILIN was very high in the eastern districts, but much more diluted in the western districts.

25. The UNTAET period also witnessed the creation of many modern State institutions. These include the National Parliament, the Council of Ministers, local government structures, the police service and the defence force. The current functioning of the police service, PNTL, and the Defence Force, F-FDTL, in particular, is hampered by a perceived lack of legitimacy arising from the manner of their creation. PNTL was founded with a core of Timorese who had served previously in the Indonesian police force. During 2000 FALINTIL fighters from many different regions were cantoned in Aileu. This forced cohabitation exposed long-standing political rivalries. The faltering cohesion and discipline were manifest. In late 2000, UNTAET bowed to pressure from Xanana Gusmão and agreed that the selection process for the new defence force would remain an internal FALINTIL matter. This excluded the FRETILIN leadership. On 1 February 2001, FALINTIL was retired and FDTL established.

26. Between October 2001 a transitional administration was formed. All parties participated in Government [?], with Mari Alkatiri as the Chief Minister. The Constitution of the Democratic Republic of Timor-Leste was drafted by the FRETILIN-dominated Constituent Assembly. A number of its sections were contentious among opposition parties. The adoption of 28 November as national independence day commemorated the 1975 unilateral declaration of independence by FRETILIN. The FRETILIN flag and anthem, *Patria Patria*, were adopted as the national flag and anthem. The recently formed FDTL was renamed FALINTIL-FDTL (F-FDTL) in an attempt to link the future defence force with FRETILIN history and overcome the 1987 withdrawal of FALINTIL from FRETILIN by Xanana Gusmão.

27. F-FDTL suffered a broad public backlash, particularly from the veterans' organizations which came into existence in 2001. Rogerio Lobato made populist appeals questioning the legitimacy of F-FDTL to assume the mantle of FALINTIL. Veterans groups, including Colimau 2000 and Sagrada Familia, became the focal point for anti-F-FDTL rhetoric. Following the 2001 elections these groups agitated for the reconstitution of the defence force after the restoration of independence on 20 May 2002. Rogerio Lobato was considered for but denied the position of Secretary of State for Defence after General Taur Matan Ruak threatened to leave the defence force. Roque Rodrigues was appointed. In the lead-up to 20 May 2002 Mr. Lobato and his supporters organized veterans' marches in Dili. Upon independence Rogerio Lobato was appointed Minister of Internal Administration."

28. Following the restoration of independence on 20 May 2002 FRETILIN assumed total control over the Government under Prime Minister Alkatiri. While the FRETILIN administration has met many challenges inherent in nation-building, the power imbalance between it and its political opponents has been an issue since 2002 and informed the crisis of April and May 2006. On 15 March 2005 the last major opposition party leader remaining in Parliament resigned as Vice-President of the Parliament and quit the legislature completely.

29. The role of and demarcation between PNTL and F-FDTL within Timorese society has also been a contentious issue since 2002. In early 2003, F-FDTL was called upon to restore public order following attacks by former militia. Rogerio Lobato, by then Minister of the Interior, supported by Prime Minister Alkatiri and the Council of Ministers called upon the United Nations to establish paramilitary police units. The subsequent establishment of the Police Reserve Unit (URP) and Border Patrol Unit (UPF) with responsibility for border patrol, cross-border militia attacks and rural counter-insurgency was not well received by either F-FDTL or opposition parties. The Minister of the Interior stated his intention to expand URP to a full battalion and orchestrated a recruitment process wherein the majority of officers recruited for this unit came from western districts. The Government was unable to secure weapons for URP and UPF during the United Nations executive mandate. On 20 May 2004 this mandate ended. On 21 May 2004 the Government received a consignment donated by Malaysia of 180 HK33 semi-automatic assault rifles which were given to URP. In September 2004 the Government purchased 200 Steyr semiautomatic assault rifles for UPF. Sixty-six FN-FNC semi-automatic assault rifles were also purchased for the Rapid Response Unit (UIR). A further seven F2000 automatic machine guns were purchased, ostensibly for close protection purposes.

30. The record of PNTL intervention in public demonstrations is mixed. On 4 December 2002 a riot occurred in Dili in which a number of people were killed and wounded. Results of the subsequent inquiry into the actions of PNTL have never been made public. In July 2004 UIR officers stopped a demonstration by a veteran in front of the Government Palace. The actions of PNTL were publicly denounced as being heavy handed and lacking in respect towards a leading veteran of the resistance. In April 2005, PNTL successfully controlled the Catholic Church-led demonstrations without resort to violence. The "Church demonstration" presented the FRETILIN Government with its most serious internal political challenge. The Catholic Church issued a statement claiming that the people had lost faith in the Government and sought the removal of Prime Minister Alkatiri. Members of the FRETILIN leadership told the Commission that they believe the demonstration was an attempt to topple the Government and a significant precursor to the crisis in April and May 2006."

"FRETILIN dominated East Timor's first post-independence government from 2002-2007. However, the party has experienced a marked decline from 2002 when it took 57 percent of the votes in the pre-independence UN-led Constituent Assembly elections.

Continued high unemployment and slow economic progress in the short time since independence has vastly reduced support for the party, whose leadership was compromised by its shady role in the 2006 violence. Former interior minister Rogerio Lobato was sentenced to 7.5 years in prison for his role in fomenting the 2006 security crisis, while in June 2006, FRETILIN Prime Minister Mari Alkatiri resigned amid allegations that he facilitated the distribution of weapons to civilians, which a UN-sponsored Commission of Inquiry later cleared him of.

FRETILIN's political image problems run deeper, however. Over 95 percent of Timorese are Catholics and the Church is by far the most influential civil society organization. Individual clergy have alluded to support for different parties and individuals, and while the Church does not support any particular party, it has been vocal in condemning FRETILIN's attempt to secularize the education system, for example, and has arguably lent implicit support to an upsurge in anti-FRETILIN feeling, based on public dissatisfaction with high unemployment and slow developmental progress since independence.

And despite FRETILIN's early dominance of East Timor's post-independence politics, it was never the inclusive flag-bearer for Timorese independence that outsiders often perceived it to be. The election cycle was dominated by a small cadre of personalities, most of whom trace their political roots to the resistance era.

Gusmao's rivalry with FRETILIN dates to the mid-1980s, when as military leader of the resistance, he decoupled the FALINTIL military wing from the FRETILIN, aiming to set up an inclusive national resistance coalition and reach out to those alienated by FRETILIN's continued adherence to doctrinaire Marxism."

A divided UN Security Council creates UNMIT (August 2006)

- UNMIT was created on 25 August 2006 and is composed of 1,608 police officers.
- No military component was included as the Council remained divided between Brazil and Portugal favoring the UN taking military leadership and the UK and US supporting Australia's claim to keep the military leadership.
- After having initially expressed several times their preference for the UN to take the lead, Timor-Leste accepted the continuation of the Australian-led multinational force.

UNSC, October 2006

"The Council created UNMIT on 25 August through resolution 1704. UNMIT is composed of 1,608 police and 34 military liaison officers.

The resolution did not include a military component for UNMIT as recommended by the Secretary-General nor did it authorize the continuation of the Australia-led multinational force. And there is no formal mechanism to review the operations of the Australia-led international forces and no set deadline for their mandate. The forces are deployed in Timor-Leste under a bilateral understanding with the government.

Disagreement resulted in a split within the Core Group, with Brazil and Portugal favouring a UN component and Australia, the US and the UK backing the continuation of the multinational force. Japan (with a degree of sympathy for the latter position, largely on financial grounds) and France assumed a more conciliatory role in the Council.

Timor-Leste eventually acquiesced to the continuation of the multinational force after formally conveying several times its wish for the military component to be under UN command and control.

After a one-week rollover, the Council eventually decided to authorise neither a UN military component nor an Australia-led force. This was indicative of the lack of support within the Council for pushing the issue further. Resolution 1704, however, requested a report on arrangements between UNMIT and the international forces, and it left open the possibility of considering adjustments to the mandate."

UNSC, 17 August 2006, p. 1

"There is a high possibility that a one-week rollover of the UN presence will have to be adopted. There are still considerable divisions among Council members specifically over two aspects—the military component and whether authorisation should be given under Chapter VII. A final decision on whether the current draft resolution or the technical rollover will be adopted is expected to be taken in consultations tomorrow.

A significant number of members—China, Russia and France in particular—seem to oppose mention to Chapter VII and are concerned at the proposed rejection of the Secretary-General's recommendation for UN command and control of the military force.

Others—the US and the UK in particular—are not in agreement with the Secretary-General's recommendation that the Australia-led force now in Timor-Leste should progressively transfer to a small UN "blue helmet" operation under UN command and control.

There has been bitter disagreement in the Core Group on this issue. The uncompromising firm support by the US and the UK for the Australian position, which is opposed to UN command and control, has been interpreted in the Core Group and amongst Timor's regional neighbours as clear threats of vetoes. Attempts by Japan, France and New Zealand to suggest compromise approaches failed. Neither side, Australia, the US and the UK on the one hand, and Portugal and Brazil on the other, seemed willing to seek middle ground.

Japan, as the lead country in the Council (and with an underlying sympathy on financial grounds for the Australian, US and UK positions) then presented to the Council the draft resolution with language authorising the continuation of the Australia-led force.

At press time, it seemed that Timor-Leste, which has formally conveyed to the Council several times its wish that the military component be under UN command and control, faced with the bleak alternative of accepting the US/UK position or seeing the UN mandate expire on Sunday, may have acquiesced to the US/UK/Australian position."

ABC, 17 August 2006

"Foreign Minister Alexander Downer says Australia does not want the United Nations to take over the next phase of the operation in East Timor.

Australian troops have been leading a 3,000-strong deployment of soldiers and police, which has restored calm to Dili after riots in May which killed 21 people and caused 150,000 to flee their homes.

The majority of the UN Security Council members want to replace that deployment with a UN-led military force. Mr Downer says it would be easier if the United Nations does not run it. He says Australia would stay in command of the military component whether the United Nations takes over or not."

Presence of Australian troops seen as particularly controversial (July 2007)

- The motives of Australia's military intervention and its continued presence with about 1,100 soldiers as of July 2007, is an issue of contention between the president Ramos-Horta, its political allies and the FRETILIN party.
- Ramos-Horta has expressed its views that Australia should remain for at least 5 years, while many of FRETILIN members think Timor-Leste should regain its sovereignty as soon as possible and that Australia had a hand in the May 2006 events and the subsequent dismissal of prime minister Mari Alkatiri and his replacement by Jose Ramos-Horta.
- Between May and June, prime minister Mari Alkatiri was the subject of particularly sharp criticism from Australian media turning him into the main person responsible for the crisis. On 19 June, one week before being forced to resign, Alkatiri was accused on an Australian TV show of having formed a "hit squad" to eliminate his political opponents.
- The UN inquiry would not be able to confirm these allegations and charges against Alkatiri would be later completely dropped in February 2007.

AFP, 26 July 2007

"East Timor's President Jose Ramos-Horta on Thursday asked visiting Australian Prime Minister John Howard to keep Australian peacekeepers in the young nation until the end of 2008.

"I told the prime minister that I want to see the ISF (International Stabilisation Force) here at least until the end of 2008 because we've just started to reorganise East Timor's police and defence force," Horta said.

(...)

The unrest stoked by factions in the military and police left 37 people dead and forced some 155,000 people from their homes. At Dili's request, thousands of international peacekeepers, headed by the Australian contingent, were dispatched to restore calm.

About 1,100 Australian troops remain on duty in East Timor."

ICG, 13 June 2007, p. 6

"Another issue discussed intensively during the presidential campaign was sovereignty, mostly in relation to defence and security. Particularly controversial was the presence of Australian troops, who arrived at the request of the government in May 2006 to help restore order after the defence forces (FALINTIL-Forças de Defesa de Timor-Leste, F-FDTL) split along regional lines and the national police (Polícia Nacional de Timor-Leste, PNTL) disintegrated.³⁰ Ramos-Horta told his

rallies that he wants to keep the UN and Australian International Security Force (ISF) troops in Timor-Leste for at least five years. Lu Olo and most other candidates said the Australians should leave soon so that Timor-Leste could "regain" its sovereignty.

FRETILIN's dislike of the continuing presence of Australian troops arises partly from the fact that many members think Australia conspired with Ramos-Horta to launch a coup against Alkatiri's democratically-elected government in May 2006. Its members also believe that the Australian government is anti-FRETILIN.³¹ They claim the Australian ISF campaigned for Ramos-Horta in eastern Timor-Leste and disrupted Lu Olo's rallies in Dili on 5 May and Ainaro on 3 May.³² But when questioned on a deadline for withdrawal of Australian troops and UN police, even FRETILIN hardliners respond: "When the F-FDTL and PDTL are ready to take over responsibility for security".³³

The PD's elections manifesto recognises the need for fundamental retraining and capacity building of the F-FDTL and PNTL in order for Timor-Leste to regain control of security.³⁴ The ASDT/PSD alliance also cites the need for reform and redefinition of the country's defence and security strategy, and while a few members have talked about possibly fusing the police and military into a single body, no documents are yet available.³⁵ Lu Olo defended the government's, and in particular Alkatiri's role in the Timor Sea and Unitisation Agreement negotiations, arguing Alkatiri achieved an excellent deal for Timor in tough negotiations against a much larger and richer neighbour. Other candidates argued that Alkatiri had sold out Timor-Leste's sovereignty in the Timor Sea, although they were unable to explain how."

CAVR, "Executive summary", 30 January 2006, pp. 53-143

"Australia was well-placed to influence policymaking on the issue because the people of Timor-Leste, President Soeharto and the international community regarded its views on the question as important. Australia cautioned against force in 1975 but led Indonesia to believe it would not oppose incorporation. It did not use its international influence to try to block the invasion and spare Timor-Leste its predictable humanitarian consequences. Australia acknowledged the right of self-determination, but undermined it in practice by accommodating Indonesia's designs on the territory, opposing independence and Fretilin, and giving de jure recognition to Indonesia's takeover. Australia supported only one General Assembly resolution on the question between 1975 and 1982, provided economic and military assistance to Indonesia and worked hard to win over Australian public opinion and the international community to support for Indonesia's position. (...)

In a further breach of the people of Timor-Leste's right to dispose of its natural resources, the Commission finds that Indonesia and Australia concluded the Timor Sea Treaty in 1989 without consulting the people of Timor-Leste or paying due regard to their interests."

Neupert, Ricardo & Lopes, Silvino, September 2006, p. 9

"The problem is complex and there are many explanations of the present crisis. They go from foreign conspiracies to the adverse socio-economic situation and old ethnic enmities. For example, it is frequently mentioned that the crisis is the result of an Australian stratagem directed to install in East-Timor a friendly government willing to make a more favorable deal to Australia for the exploitation of the rich Timor-Leste gas and oil reserves located in the Greater Sunrise

field in the Timor Sea. Other explanations emphasize the incapacity of the government to solve chronic problems of poverty and unemployment, especially among the youth. Furthermore, the poor organization of the Timorese army and police and the frailty of some state institutions are also blamed for the situation. Opposition political parties' desperation because of its political and electoral weaknesses has also been mentioned as a major cause of the violence. They are accused of hijacking the initial protests to discredit and destabilize the government and, latter on, of promoting the action of street gangs."

CAVR, "Self-Determination", 30 January 2006, p. 32

"141. The people of Timor-Leste had high expectations of Australia based on its proximity, its presence during the Second World War, its relationship with Indonesia and its reputation as a good and influential international citizen.

142. These expectations were not fulfilled until 1999. Australia gave nominal support to the principle of self-determination throughout the decolonisation process, but did not uphold it for most of this period. It favoured only one option, that of integration with Indonesia, even though the weight of evidence from 1974 was that an act of self-determination would oppose integration. Mr Whitlam's comment to Foreign Affairs officers in 1974 that "I am in favour of incorporation but obeisance is to be made to self-determination" was true for each of the five Australian governments that held office during the Soeharto era.*

143. Australia made it known to Indonesia at the highest levels that it opposed the use of force in Timor-Leste but once this decision was made in mid-1975 it knew and accepted it. It was quick to acknowledge the Indonesian military's occupation of Timor-Leste and to offer legitimacy through de jure recognition of Indonesian sovereignty. Apart from one occasion, Australia voted against Timor-Leste at the United Nations, was dismissive of Portugal's responsibility as administering power,† and by its stance and actions undermined international support for Timor-Leste."

A crippled judicial system and the flaws of the Commission on Truth and Friendship (CTF) create the perception that impunity is and will continue to be tolerated (July 2007)

- The UN has on 26 July 2007 refused to cooperate with the Indonesia-Timor-Leste Commission on Truth and Friendship (CTF), set up in 2005 to look into the violence which surrounded the 1999 bloody elections, because the CTF's terms of reference include possible amnesties for serious crimes, including crimes against humanity.
- A coalition of international and national NGOs sharply criticized the CTF describing it as not credible and unable to seek justice or even truth regarding events in Timor-Leste in 1999.
- Timor-Leste's judicial system is gravely hampered by its limited capacity and only the most serious crimes are being prosecuted.
- There is a growing perception in the population that impunity is tolerated.
- A report by HRW, released a few weeks before the 2006 unrest started, found alarming levels of human rights abuses committed by the police since 2002 as well as a lack of police accountability.

AFP, 31 July 2007

"Jakarta – Indonesia's foreign minister Hassan Wirayuda has called on a commission set up to examine violence surrounding East Timor's 1999 independence vote to ignore a UN boycott threat, a report said Tuesday.

(...)

"Whatever the world says, including the United Nations, let them do so... Just be self-confident about our own process, because the governments of both countries consistently support the commission," Wirayuda said in Manila, according to Kompas newspaper. He said that the UN had offered no alternative solution to the CTF and also had an interest in their officials not testifying. "They would not want to have what is being called fraud by UNAMET to be uncovered," the minister said, referring to the UN body that organised the independence referendum in East Timor.

Indonesia has long accused UN workers of favouring pro-independence supporters during the ballot and instigating some electoral fraud to help them.

East Timor and Indonesia, which ruled the former Portuguese colony for 24 years, established the CTF in 2005. The commission is aimed at reconciliation rather than prosecuting those suspected of perpetrating crimes."

UN, 27 July 2007

"The terms of reference of the CTF envisage the possibility that that body may recommend amnesty, and do not preclude it from making such a recommendation in respect of acts that constitute a crime against humanity, a gross violation of human rights or a serious violation of international humanitarian law. The United Nations' policy, however, is that the Organization cannot endorse or condone amnesties for genocide, crimes against humanity, war crimes or gross violations of human rights, nor should it do anything that might foster them. It is the firm intention of the Secretary-General to uphold this position of principle.

Unless the terms of reference are revised to comply with international standards, officials of the United Nations will, therefore, not testify at its proceedings or take any other steps that would support the work of the CTF and thereby further the possible grant of amnesties in respect of such acts."

ETAN, 24 May 2007

"In an open letter to the presidents of Indonesia and Timor-Leste, a worldwide coalition of three dozen human rights organizations led by groups from Indonesia and Timor-Leste have called on President Yudhoyono and President Ramos-Horta to close the bilateral Commission for Truth and Friendship (CTF).

The letter says, "It is obvious from its mandate and its performance that the CTF is not a credible mechanism to seek justice or even truth regarding events in Timor-Leste in 1999, let alone from 1975 to 1999." The full text of the letter is available in English, Bahasa Indonesia and Tetum.

"The CTF cannot satisfy the pressing need for justice from victims, victims' families, and the entire population of Timor-Leste," said signer Yasinta Lujina of La'o Hamutuk, a Timor-Leste-based

organization. "Without justice, the wounds of the past cannot heal and a lack of respect for the rule of law will continue to destabilise Timor-Leste."

"The creation of the CTF was an act of political expediency that was doomed from the beginning", said Dr Mark Byrne, of the Australian Coalition for Transitional Justice in East Timor. "Its terms of reference permit it to recommend amnesties for the perpetrators of the most brutal human rights violations."

UNSC, 1 February 2007, p. 8

"27. The challenges confronting the judicial system outlined in my previous report (see S/2006/628, paras. 81-88) continued to impede its effective functioning. In recent months, arrests in Dili, in particular, have created an additional backlog of cases. The capacity of the judicial system promptly to deal with its backlog and with the growing number of cases is limited, requiring it to prioritize the most serious crimes. A large number of those arrested for lesser offences were released by judicial authorities owing to capacity limitations as well as to technical deficiencies in the submission of case files. Increasingly, reports of intimidation of witnesses and the absence of mechanisms for witness protection are hampering prosecutions. These factors, coupled with a general lack of understanding among the population about judicial procedures have contributed to a growing perception that impunity is tolerated. UNMIT and UNDP are working with national authorities to overcome these bottlenecks and to facilitate longer-term capacity-building within the justice system institutions, including through UNDP's justice support programme. This programme will require additional donor funding, however, if it is to further expand its activities to respond to evolving needs. UNMIT is in the process of recruiting qualified personnel to initiate, in collaboration with the relevant Timorese authorities and civil society, the comprehensive judicial review mentioned in my previous report (see S/2006/628, para. 88).

28. Furthermore, UNMIT is recruiting experts to establish a Serious Crimes Investigation Team which will work with the Prosecutor-General to complete the outstanding investigations into serious crimes committed in 1999 initiated by the former Serious Crimes Unit. In preparation, UNMIT retained five Timorese specialists to restore the records of the Serious Crimes Unit, which were destroyed during the violent incidents in May 2006. The report of the Commission for Truth, Reception and Reconciliation was disseminated in all districts by the Technical Secretariat that succeeded the Commission which was set up by President Gusmão on 20 December 2005. The President reiterated his support for the work of the Technical Secretariat and asked it to continue its work until a follow-on institution is established by Parliament. The bilateral Indonesia–Timor-Leste Commission for Truth and Friendship also continued its work in relation to the events of 1999."

WSWS, 6 June 2006

"In another article, the Jakarta Post reports: "Machete-wielding mobs torched houses and ransacked government offices, including the attorney general's where they succeeded in breaking into the Serious Crimes Unit. Files involving all of the most prominent Indonesian defendants in the 1999 massacres that followed East Timor's bloody vote for independence, including former General Wiranto, were stolen, said Attorney General Longuinhos Monteiro."

Attorney-General Longuinhos Monteiro told the BBC on May 30 that his offices had been looted on several occasions and up to 15 percent of the criminal archive stolen. The Australian NEWS.com.au reported: "UN security guards fled when looting began. Attorney-General Longuinhos Monteiro confirmed at least 12 percent of all files had been stolen."

Although the extent of damage is still not very clear, it is certain that the records of both the Prosecutor General's Office and the defunct Serious Crimes Unit have been looted. For the sake of argument, one could ask, why would a mob be interested in looting the records of the defunct Serious Crimes Unit and particularly the case file of General Wiranto? I am afraid ordinary citizens in Timor-Leste [East Timor] may find it very difficult to answer."

HRW, April 2006, p. 16

"Since independence in 2002, police abuse has become one of East Timor's most worrying human rights problems. Police officers regularly use excessive force during arrests and beat detainees once they are in custody. The police and other state institutions have often failed to respond to incidents of police abuse with appropriate disciplinary measures or criminal proceedings.

In the course of our research the number of accounts of severe ill-treatment, including torture that former detainees and prisoners described to us at the hands of police officers was striking. Several people whom Human Rights Watch interviewed had had to be hospitalized because of the severity of their injuries.³⁰ While this level of severity of abuse may not yet be systematic or systemic in East Timor, the ease with which we found illustrative cases was alarming.

In his February 2005 report to the Security Council on the United Nations mission in East Timor, U.N. Secretary-General Kofi Annan noted that major problems within the East Timor police force remained a cause for concern, and that "reports of police misconduct, including excessive use of force, assaults, negligent use of firearms and various human rights abuses, have increased since May 2004." He continued that "lack of transparency and a slow-paced investigation mechanism have contributed to a poor level of police accountability."³¹ Six months later, he again noted that "although the skills and competencies of the East Timorese police have been considerably enhanced, instances of excessive use of force and human rights violations by police officers, including against members of political opposition groups, continue to be reported."³²

Deep political divisions and rivalries culminate in a regime change in the wake of the April/May unrest

- The obscure role played by Xanana Gusmao in last year's violence led many in Timor-Leste to question his impartiality, although he remains a popular figure.
- Many in Timor-Leste, in particular among FRETILIN members, hold the view that the former president, played an active role in the April/May events and that the violence was orchestrated to destabilize the government of prime minister Alkatiri.
- In September 2006, the media reported on an alleged close relation between Xanana Gusmao and the rebel leader major Reinado as well as allegations that Gusmao may have played an active role in the May unrest.

- In June 2006, prime minister Mari Alkatiri was accused by Vicente 'Railos' of having armed a 'hit squad' to eliminate his political opponents. The accusation was widely publicized by the Australian media and proved decisive in forcing his resignation a few days later. The charges against Alkatiri were officially dropped in February 2007 and Vicente 'Railos' ended up working with Gusmao.
- In March 2006, a few weeks before the outburst of violence, a televised speech by Gusmao where he accused the government's decision of sacking 600 soldiers as 'unjust' and gave legitimacy to the soldier's claim of regional discrimination had a major inflammatory effect on what was still a small manageable crisis and led to the first burning and looting of houses belonging to easterners and to their displacement.

ISN, 7 August 2007

"Gusmao's role during last year's crisis remains a touchy subject, with a number of incendiary speeches made accusing FRETILIN leaders of orchestrating the crisis, and lending implicit support to the sacked army elements' accusations of anti-western discrimination.

Questions emerged over his campaign team. Vicente 'Railos' was a FALINTIL guerrilla who was sacked from the Timorese Army in 2003. In June 2006 he blew the whistle on the Lobato plot and also accused Mari Alkatiri of involvement in fomenting violence and engaging civilian death squads. The same Railos worked as a district campaign coordinator for Gusmao's CNRT during the parliamentary elections.

While Gusmao remains widely popular outside of hardline FRETILIN circles, some have questioned whether he has the political tact and eye for detail needed to run an administration. Engaging controversial figures such as Railos in his campaign may have alienated some swing voters disgruntled by the political irresponsibility demonstrated by much of East Timor's elite since early 2006.

However he remains the political leader most likely to unify East Timor's divided parties and disgruntled citizens, though his window of opportunity may be short."

Horta, Loro, 8 June 2007

"But Ramos Horta is not the only figure to emerge scarred from the recent crisis. Xanana Gusmao himself - the once revered guerrilla commander and father of the nation, looked upon as the pillar of national unity and impartiality - has also suffered a significant demystification. Gusmao's and to a lesser extent Horta's support for the rebel soldiers (most from the western part of East Timor) has led many to question the impartiality of the president. The military crisis - part of an explosion of internecine violence and destruction in March-June 2006 - both divided the nation between a pro-Gusmao/Horta faction and the rest, and created an artificial but bloody schism between the country's east and west.

Gusmao's perceived bias towards the western rebel soldiers greatly undermined his position and prestige, and that of his long-term ally Ramos Horta. This political and ethno-regional divide contributed to the further fragmentation of the vote in the first round. The regional issue also severely undermines the national character of the country's major party Fretilin, with many in the west perceiving it to be dominated by easterners and no longer viewing it as a truly national party. Fretilin also became increasingly associated with the unpopular Mari Alkatiri, who is accused in some quarters of having secured the party leadership in a dubious election.

The only unifying factor behind the various parties that supported Ramos Horta in the second round seems to be a strong distaste of Alkatiri and strong opposition to Fretilin. But these factors by themselves are not enough on which to build a political foundation, and Ramos Horta will need more to assume the role of a president for all Timorese. "

Symonds, Peter, 26 February 2007

"The decision earlier this month by East Timor's prosecutors to drop all charges against former Prime Minister Mari Alkatiri barely rated a mention in the Australian, let alone international, media. This was in sharp contrast to the extraordinary campaign of vilification conducted last May and June to justify Australia's military intervention in East Timor and to force Alkatiri's resignation.

The accusation that Alkatiri and his interior minister Rogerio Lobato had armed a "hit squad" to assassinate political opponents was the main charge used to oust the prime minister. While Lobato faces trial over the alleged offence, the case against Alkatiri has been dropped for lack of evidence.

(...)

The former prime minister has threatened to sue the Australian Broadcasting Corporation (ABC), which first televised the allegation in a "Four Corners" program "Stoking the Fires" on June 19. The program dredged up a series of unsubstantiated claims right at the point when the Australian government and its allies in East Timor were desperate for a means to lever the prime minister from office. Alkatiri told the Sydney Morning Herald: "The ABC damaged my image, my family and my party."

The vilification of Alkatiri began before the dispatch of Australian troops to East Timor in late May. The Australian media published story after story denouncing Alkatiri as an aloof autocrat, blaming his Fretilin government for the political unrest wracking the small nation, and openly urging his removal. Amid a series of violent provocations by rebel soldiers, the Howard government, with the support of President Xanana Gusmao, pressured Alkatiri into agreeing to the entry of Australian troops.

(...)

The decision to drop any charges against Alkatiri was foreshadowed last October when a special UN commission of inquiry found no evidence "on the basis of which it could recommend that Mari Alkatiri should be prosecuted for being involved in the illegal possession or use of weapons". The report called for further investigations to determine if Alkatiri knew about the illegal arming of civilians by interior minister Lobato. But four months later the case has been dropped."

ICG, 10 October 2006, pp.7-8

"By the end of February, the number of protestors had risen to 593, and on 16 March, when they still refused to return to post, Matan Ruak ordered them dismissed. When asked about it later, he said impatiently, "we had given them every chance. What else could I do?"³³

Alkatiri supported the decision; Xanana Gusmao, who was out of the country at the time, did not. On 23 March, he addressed the nation in an emotional televised broadcast that all agree sharply worsened the situation – "27 minutes of incendiary words", was how one local journalist phrased

it.³⁴ The president called the dismissals incorrect and unjust and warned commanders that failure to address the complaints would lead to more divisions. He said if 400 soldiers left their barracks, it suggested there was a serious problem within the institution. Discrimination had long existed within the F-FDTL; it was not just a question of lack of discipline. He said if this issue was not properly resolved, it would leave the impression that the F-FDTL was just for easterners who believed that only they had fought the war, and all the others, "from Manatuto to Oecusse", were "militias' children".³⁵ The fact that he quoted directly from the petition seemed to give additional legitimacy to the complaints.

The speech had an immediate impact in two ways. By so clearly and publicly undermining Matan Ruak's decision, it soured the relationship between two men whose alliance had been a mainstay of the resistance for more than twenty years, thus opening the way for further efforts by FRETILIN to make its influence felt within F-FDTL.³⁶ And by legitimating western grievances, it seems to have led directly to attacks on easterners in Dili by a few petitioners and others rumoured (without evidence) to have Rogerio's backing. By 27 March, seventeen homes had been burned to the ground, and easterners were crowding on to buses to flee the city. The violence led Alkatiri to state that only FRETILIN could ensure stability, in turn heightening suspicions in the anti-Alkatiri camp that the rioting had been provoked for political ends.³⁷

Engel, Rebecca, August 2006, p. 2

"The ex-Prime Minister is considered by some to be a scapegoat of an Australian (and American) driven plot to remove a difficult man with Portuguese affinities from power. Others are certain that there was a very strategic effort to create divisions within the military in order to weaken the institution considered more loyal to the President and/or to ensure it would defend the party interests as necessary.

The ex-Prime Minister's ultimate downfall, however, was not altogether surprising given his unwillingness to address the people constructively prior to mass demonstrations in Dili. What is more striking is that divergences of opinion that have existed for years have come to light. Beneath the cries of discrimination and the fear that has emerged between East and West, is a lack of agreement on the approach to government and a lack of mechanisms for communication and decision making - not just for day-to-day policy but also with regards to fundamental issues of politics and the future of the State being built.

The lack of political agreements ensured that political divisions were reinforced and woven into the fabric of the State and has informed its formation up until the breaking point. Examples can be found in the formation of police and military, and the subsequent alleged politicisation of its leaders. Use of budgetary resources has also been contentious including the investment priorities and non-transparent/ nonaccountable tendering processes. The targeted linking of the State to the Fretilin party has left opposition parties always on the defensive and political appointees are at times more concerned with party politics than national service. "

Martinkus, John, 20 September 2006

"Two weeks ago we revealed written orders from East Timorese President Xanana Gusmão to the rebel commander Alfredo Reinado that showed a close relationship between the two at the height of the crisis in Dili in May this year. That was followed by front-page revelations in The Australian that Gusmão paid at least a share of Reinado's hotel bill during the crisis.

Now, former East Timorese police commander, Abilio 'Mausoko' Mesquita, who is in jail for his role in the violence, has claimed in a leaked statement that Gusmão himself ordered him to attack the house of the Commander of East Timor's military, Brigadier Taur Matan Ruak, on 24 and 25 May."

The Australian, 12 September 2006

"ALFREDO Reinado, the East Timorese army deserter whose actions ultimately led to the ousting of prime minister Mari Alkatiri, has allegedly received financial help from the country's President.

There are claims that the office of President Xanana Gusmao, a long-term rival of Dr Alkatiri, paid an outstanding hotel bill on behalf of Major Reinado while the rebel leader was on the run earlier this year.

The bill covered the six weeks Major Reinado spent at an isolated, colonial-era mountaintop lodge called the Poussada, outside the coffee-growing town of Maubisse, 75km southeast of Dili.

Staff at the hotel, including assistant manager Julio da Costa, claim the bill was paid by the office of the President.

And Major Reinado, although sceptical of claims the bill was paid by Mr Gusmao, said he could not meet the entire account and he had heard reports it was picked up by the President or his Australian-born wife, Kirsty Sword Gusmao.

The claims, denied by Mr Gusmao's office, raise further questions about the coup-like strike by army officers that ultimately helped the President drive Dr Alkatiri out of office in late June this year.

Angered by what he believed was heavy-handed treatment by Dr Alkatiri and his former interior minister, Rogerio Lobato, in quelling a political protest that left six killed, Major Reinado and 20 other supporters, mostly military police under his command, deserted for the hills.

While a deserter, Major Reinado remained loyal to his commander-in-chief, with Mr Gusmao issuing an order, seen by The Australian, for him and his group to initially base themselves in Aileu, 50km southeast of the capital. But following escalating violence in Dili, Major Reinado moved deeper into the sanctuary of East Timor's mountains, establishing a base at the Poussada.

During the peak of the political crisis in June, Major Reinado's staunch anti-government rhetoric and actions provided a rallying point for anti-Alkatiri forces."

ETAN, 12 September 2006

"Associate Professor Damien Kingsbury, Director, Masters of International and Community Development School of International and Political Studies at Deakin University writes:

A report that East Timor's President Xanana Gusmao paid the hotel bill for escaped rebel Major Alfredo Reinado is consistent with Gusmao's attempts to rein in the conflict he had threatened civil war in East Timor earlier this year.

Gusmao paid the hotel bill as part of his request to Reinado that Reinado stay in one location, to ensure there was no further conflict. In the circumstances of that time, that arrangement was key to limiting the then escalating conflict between factions in the military and police.

The inference that Gusmao supported or otherwise had links with Reinado remain unsubstantiated and inconsistent with Gusmao's public position on the conflict at that time. Such allegations, though, continue to be beaten up by misguided activists and journalists who appear to believe that support for East Timor means support for Fretilin means support for Alkatiri. This logic, though, does not follow."

July 2007 elections lead to formation of a new coalition government headed by Xanana Gusmao (August 2007)

- Following the June 2007 parliamentary elections and a month-long deadlock a new government was formed on 8 August and headed by former president Xanana Gusmao as prime minister.
- Despite having won the parliamentary elections, FRETILIN party is excluded from a government composed of a coalition of parties.
- On 9 May, former foreign minister and prime minister Jose Ramos-Horta was elected president winning close to 70 per cent of the votes against FRETILIN candidate Francisco Guterres "Lu Olo"

Reuters, 8 August 2007

"Independence hero and former president Xanana Gusmao was sworn in as East Timor's prime minister on Wednesday as simmering violence continued in some districts loyal to the former ruling party.

Breaking a deadlock after parliamentary polls more than a month ago, President Jose Ramos-Horta on Monday appointed Gusmao's coalition of parties to govern after no single party won a majority.

Ramos-Horta's move sparked violent protests by supporters of the former ruling party, Fretilin, which claims the right to govern and has branded the president's move as unconstitutional."

UN News Service, 12 July 2007

"Timor-Leste's Court of Appeals has formally proclaimed the results of last month's national parliamentary elections in the small Asian country, where no single political party has won an absolute majority, a United Nations spokesperson said today.

Five parties and two coalitions have won parliamentary seats in proportion to their share of the vote on 30 June, in line with expectations following preliminary results, according to a statement released today by the spokesperson of Secretary-General Ban Ki-moon. But no party will have an absolute majority of the 65-seat parliament, where members will serve five-year terms.

The statement said a date for the start of the new parliament has not yet been set and political parties have begun discussions about the formation of a new Government. The parliamentary polls follow elections earlier this year that led to the swearing-in of José Ramos-Horta as President."

ICG, 13 June 2007, p.1

"Timor-Leste has just elected a new president and will hold parliamentary elections on 30 June 2007. Successful elections could strengthen political institutions and thus be an important part of nation-building for a country badly shaken by civil unrest in 2006, its fourth year of independence. Issues that arose in the presidential campaign are still very much alive – in particular, national sovereignty (the reliance on international peacekeepers); use of Timor Sea revenues; and justice for the 2006 violence. But personalities rather than party platforms are likely to determine the outcome of the parliamentary contest, and no one is offering concrete solutions to the country's many problems.

The 2007 vote for president was the first national-level election conducted according to Timor-Leste's own laws and the first run by Timorese authorities. Eight candidates stood in the first round on 9 April, but because none won a majority, a run-off election was held on 9 May between Francisco Guterres "Lu Olo" from Frente Revolucionária de Timor-Leste Independente (FRETILIN), the party in power since before independence, and José Ramos-Horta, Nobel peace prize laureate, former foreign minister and, since July 2006, prime minister. Ramos-Horta won the second round with nearly 70 per cent of the vote.

This was the first chance for the people of Timor-Leste to register their opinions at the ballot box about FRETILIN, and the verdict was resounding disapproval. Many consider its poor showing to be a vote against former Prime Minister Mari Alkatiri and other FRETILIN leaders and say that unless there is a change in the leadership, the party will do even worse in the June parliamentary contest.

The presidential results indicate that a new party headed by former President Xanana Gusmão, Congresso Nacional De Reconstrução de Timor-Leste (CNRT), is likely to win 20 to 25 per cent of the vote and then ally with several smaller parties to form a parliamentary majority and the next government."

Land, Housing and Property issues

Customary systems of land and natural resource management are complex and widespread in Timor Leste

- Most of the land and resources in Timor-leste is managed through customary authorities.
- There can be multiple levels of ownership relating to different levels of access and control over resources. This horizontal separation of ownership is quite common, with trees can be owned by one person and land by another.

Oxfam, November 2003, p. 26

"Customary systems of land and natural resource management are complex and widespread in Timor Leste. This finding is consistent with the existing literature on land and natural resource tenure in rural Timor Leste.

Land and natural resources continue to be managed through customary authorities across most of Timor Leste and customary rituals associated with ancestral lands, forests or water resources are widely practiced. In many locations, especially remote areas, customary practice is the only existing system of land and resource management. Land and natural resource ownership can also be quite complex in Timor Leste and there appears to be much variation from place to place. Multiple levels of ownership that relate to different levels of access and control over resources are common. Any one family's holdings may include multiple non-contiguous plots, with different levels of access. A particular individual may have one land plot that is his or hers by inheritance, a second plot which is his or hers but co-owned with another family member, a third plot which might be co-owned with a cousin. Moreover, he or she may own particular trees in an area that is not his or her land. This horizontal separation of ownership where trees are owned by one person and land is owned by another is very common.

In determining land ownership there are different levels of control and access to land that an individual has access to.⁴⁹ They may have access to some individual land. They may have access to some family, clan, and village land. Some of this land may be laying fallow (not actively worked), but rights are retained over this land. There is also land that is considered village reserve land which may not be farmed or used now but which may be available for use later. Permission to use this land must be sought from the relevant customary authority. This is especially the case for someone from outside the community. It may also be difficult to distinguish between landlessness and someone without access to valuable land. Irrigated rice land, for example, is valuable land. People from within the community who do not own valuable land tend to borrow land sometimes without any formal system of payment or exchange. The borrower may be responsible for fence-building to keep livestock out of the fields which can be considered a form of 'rent'."

Timor has suffered successive waves of land dispossession

- Timor-Leste has been occupied by three different countries. As a result, there are multiple and unresolved land claims. There are 4 categories of land claimants: current occupiers, underlying traditional interests, title holders from the Portuguese era, title holder from the Indonesian era.
- As a result of the 1999 violence, most of the houses were destroyed and the majority of the population was displaced.
- To the usual challenges faced in a post-colonial experience, such as status of traditional tenure, restitution of property to those dispossessed by colonial administrations, disposition of large landholdings held by colonial elites, the 1999 violence also added problems usually

faced in a post-conflict setting such as return of refugees, provision of shelter and urgent humanitarian relief, and restoration of land records and other institutions of governance.

- The main land-related issue faced by Timor-Leste were: 1) Ad hoc housing occupation and conflict caused by population displacement and property destruction; 2) Allocation of public and abandoned properties for humanitarian, security and commercial purposes; and 3) Re-establishing a form of land administration, particularly so as to minimise the risks of a developing informal market in private land
- To tackle the illegal occupation of homes by returnees, UNTAET established Temporary Use Agreements, which provided for short term leasing of land, to allow legal occupation of illegally occupied home.

Fitzpatrick, Daniel, February 2002, pp. 4-6

"If one were hypothetically to create a "most challenging" land administration problem, it would contain many elements of post-conflict East Timor. In common with most new states, East Timor is emerging from a difficult colonial past. However, whereas most colonies only experienced one wave of dispossession, East Timor has suffered successive waves, from Portuguese colonisation through Japanese occupation to Indonesian invasion. These events have created multiple, and currently unresolved, competing claims to land. Indeed, as a result of its difficult colonial history, there are now four categories of potential land claimants in East Timor, namely current occupiers, underlying traditional interests, and holders of titles issued in both the Portuguese and Indonesian eras.

The conflict of late 1999 has further complicated this difficult colonial heritage. On 30 August 1999, almost 80 percent of East Timorese voters voted for independence from Indonesia. The ensuing rampage by pro-Indonesia militia, apparently supported and funded by Indonesian military interests, caused widespread population displacement and property destruction. These events created a humanitarian crisis. Most of the population was displaced; much of the infrastructure and housing stock was destroyed; economic activity almost completely ceased; severe food shortages were experienced; virtually all senior officials fled to Indonesia; and the institutions of government ceased to operate.

Re-establishing land administration in East Timor thus involves the tangled threads of post-colonial and post-conflict experience. Not only are the land claims engendered by colonial dispossession unusually complicated, they fall for resolution in an environment of widespread population displacement and property destruction. In this sense, therefore, East Timor may provide a useful case study of land issues in "complex emergencies". On the one hand, it suffers from problems common to most post-conflict environments, including return of refugees, provision of shelter and urgent humanitarian relief, and restoration of land records and other institutions of governance. On the other hand, it faces issues common to many post-colonial environments, including the status of traditional tenure, restitution of property to those dispossessed by colonial administrations, disposition of large landholdings held by colonial elites, and development of policies to reduce landlessness and urban overcrowding.¹¹

(...)

An important preliminary issue has been the extent to which UNTAET, notwithstanding its broad formal authority, should consider the issue of competing land claims and resolve the question of underlying property ownership in East Timor. As has been noted, late in 2000 the National Cabinet, a body established within UNTAET to head the East Timor Administration, advised UNTAET's Transitional Administrator not to proceed with plans to establish a land claims commission. In part, this decision was due to a desire not to make fundamental determinations on land ownership in the absence of a democratic mandate from the East Timorese people. However, this freeze on establishing a land claim commission has given rise to a number of fundamental questions. In particular, to what extent may resolution of post-conflict issues, including re-establishing a system of land administration and providing sufficient certainty of titles

for economic reconstruction, be held hostage to the politically charged question of post-colonial land claims? How can urgent measures to minimise conflict over depleted housing stock, particularly as between returning refugees and internally displaced persons, be taken without establishing who holds the underlying property title?

These questions will be illustrated in the following part, which highlights the three major land policy issues facing UNTAET in the immediate aftermath of the violent events of late 1999. In summary, these three issues were:

- Ad hoc housing occupation and conflict caused by population displacement and property destruction;
- Allocation of public and abandoned properties for humanitarian, security and commercial purposes; and
- Re-establishing a form of land administration, particularly so as to minimise the risks of a developing informal market in private land."

De Sousa Xavier, Pedro December 2005, p. 3

"During Indonesian times, there were two particular processes which disturbed the normal use of land. These processes were: (1) transmigration and (2) translocation. Transmigration was the practice of resettling persons(in to East Timor) from elsewhere in Indonesia. Translocation was the practice of resettling/relocating East Timorese persons within East Timor. Often, translocation was undertaken for the purpose of moving rural East Timorese away from areas where they would be likely to come in contact with FALINTIL (independence) guerrillas, and into areas where they would be more easily controlled. As the data of transmigration and translocation indicates, transmigrants from elsewhere in Indonesia were always settled on sites which included translocated persons from within East Timor.

Translocation programs, by contrast, were often developed purely for the purpose of settling translocated persons only [Nixon, 2005]. Each of the Portuguese administrations and Indonesian administrations issued freehold and lesser titles/land rights (various concessions and occupation or user rights).

During the Portuguese era some 3000 titles were issued, and during the Indonesian era some 47000 titles were issued.

The United Nations Transitional Administration in East Timor (UNTAET) established a process of Temporary Use Agreements, which provided for short term leasing of land, to allow legal occupation by incoming occupants, and also to generate some funds, which were directed to the East Timorese administration."

Uncertainty of future tenure arrangements following pre-1999 resettlement policies is fuelling discontent (November 2003)

- The relocation of communities or the state appropriation of ancestral land has created problems that customary land management systems has been unable to address. The loss of control over ancestral land has created discontent among customary authorities.

- As a result of Indonesian-led resettlement policies, clans or set of clans have lost both the economic and cultural use of their lands to "outsider" groups or individuals. This is creating anxiety for the 'host' communities who fear that the land titles the newcomers received under Indonesian rule will be validated by the state.
- The redrawing of village administrative boundaries has resulted in communities losing access to and control over their land or resources. The role of the administrative heads (Chefe de Suco) in the control of land and resources needs to be better defined in relation to the customary authority.
- Much of the land depopulated due to resettlement policies was subsequently designated as state forest and has become the property of the Timor-Leste state. This has raised the question of the right of returnees to claim what has become state property in their absence but which they consider as belonging to them or to their community.

Oxfam, November 2003, pp. 27-28

"Customary land and natural resource management systems cannot address land and natural resource tenure situations involving relocated communities and state appropriation of ancestral land : A major finding that emerges from the case studies is the ongoing discontent over the loss of control of ancestral land by customary authorities either through the presence of 'outsiders' on their lands through past state policies during the Indonesian period such as :-

- Resettlement policies
- Redrawing of village administrative boundaries
- Appropriation of ancestral land

In these cases uncertainty of future tenure arrangements and loss of management control by customary authorities is exacerbating this discontent.

Resettlement policies

In many cases, a particular clan, or set of clans, have lost their ancestral territory to communities resettled by Indonesian armed forces in the late 1970s and 1980s. The resettlement of 'outsiders' on ancestral clan land may have restricted the 'host' community's access to ancestral graves, sacred places of origin, sacred water sources, or forest resources, as well as to cultivation land or individually-owned trees. The loss is both a cultural and economic one and for the communities involved these values are closely interrelated. This is a particularly important issue for communities who are trying to exert customary prohibitions associated with resources within their ancestral territory. Some communities attempting to enforce a ritual prohibition on use of a resource (tara bandu) have difficulty when there is a significant population of 'outsiders' living on their ancestral land or utilizing resources within their ancestral territory. In some cases 'outsiders' may be either unaware of the prohibition or maybe unwilling to comply which ultimately threatens the success of the prohibition.

It is important to recognize that there are different categories of 'outsiders' or settlers. There are relatively homogeneous communities like Uma Tolu who were forcibly resettled as a unit for military reasons. There are also individual settlers who may have left their ancestral lands for political or economic reasons and there are also transmigration settlements including settlers from other islands within Indonesia that were organized under the Indonesian administration (some as late as 1998). Transmigrant settlements tended to be highly heterogeneous communities and most have returned to Indonesia since 1999. While individual settlers tend to respect customs of a community in which they have settled, the relatively large homogeneous groups tend to maintain their own rituals and customary systems of land management from their ancestral lands. In addition, some of these communities were also moved to highly cultivable land belonging to other communities.

In Luca, for example, approximately 280 hectares of irrigated rice land was lost to the Uma Tolu community without compensation. Now, there is considerable anxiety among the 'host' communities that the 'outsiders' will receive land titles from the state or where land titles have been issued by the Indonesian authorities these will be recognized by the state. This would effectively convert the existing 'user right' of the 'outsiders' to the land of the 'host' community into an ownership right which would sever the relationship between the 'host' community and their ancestral land. This issue is intractable within the framework of customary tenure and will require state intervention. Policies will be required that balance the needs of both the 'host' and 'outsider' communities.

Redrawing of village administrative boundaries

The redrawing of village administrative boundaries have in some areas also had a similar effect. Some communities have lost access to particular resources because the village administrative boundaries no longer reflect ancestral suco boundaries. This restricts access to land and natural resources as well as control over their management. Because the resource is no longer inside their territory, the customary authorities no longer have authority to exert control over the use of them. This raises the issue of the roles of customary and administrative leaders in the management of natural resources. In some cases the administrative authority such as the *Chefe de Suco* is also a customary authority but this varies between locations. In many cases the customary leaders play a greater role in the management of the land and natural resources within the suco but often the *Chefe de Suco* is also involved. This issue is particularly important given the plans for suco elections in the coming year. The definition of the role of the *Chefe de Suco* in land and natural resource management in relation to customary authorities is a priority and will frame the need for redefinition of suco administrative boundaries.

Appropriation of ancestral land

This issue appeared in this study within the context of forest policies during the Indonesian period. Much of the land depopulated due to resettlement policies was subsequently designated as state forest under the jurisdiction of the Indonesian forestry department. Under the terms of the first land law of the República Democrática de Timor Leste (RDTL), land that was state property under Portuguese or Indonesian periods now becomes the property of the RDTL. Many families from resettled communities are returning to ancestral land that may have become forested in the intervening years since they were forcibly relocated. These people are returning to forested areas that hold sacred value, markers of property such as ancestral graves, former coffee gardens, or ancestral trees and other sacred places. For some their ancestral land was designated as state forest in their absence. Should these communities have the right to return to their ancestral lands ? Do they have the right to convert their land back into productive agriculture land or does it remain part of the state forest of the RDTL ?

Should the state relinquish its claims? Also, if the state allows these communities to return to their ancestral land, are they able to retain rights over land and property in the new location where they have been living, continuously cultivating land, and planting trees, for the past 24 years? These issues cannot be resolved by customary and local authorities. State intervention is required."

Significant secondary occupation of land and housing following the 1999 conflict

- When the 1999 violence subsided most of the 740,000 people started returning to their homes only to find that almost 80 per cent of Timor-Leste's housing stock was destroyed.
- The first who returned or migrated to Dili were those who had fled eastwards. They rapidly occupied most land and the few houses that were left intact and in the absence of any records –most of which were burnt by pro-integrationist militias- or formal mechanisms to

handle land claims, most would manage to keep occupying these properties illegally in the coming years.

- Those who had voluntarily moved to West Timor or had been relocated by force only gradually returned over the next months or years, mainly through assistance by UNHCR and IOM. Most found that other displaced people, mainly easterners, now occupied their former homes.
- Returnees were left with little or no access to alternative housing in a capital city, where housing shortages combined with a high demand of a booming population were causing prices to soar. This worsened with the arrival of the large number of foreign UN or NGO staff quick to pay hundreds or thousands of dollars of rent to whoever had something to propose in Dili.

Harrington, Andrew, February 2007

"Immediately following the 1999 referendum, pro-autonomy militias and the Indonesian Military (TNI) pushed or forced hundreds of thousands of Timorese out of Dili and into West Timor as refugees.

After violence wound down, those who had not been forced into West Timor returned to Dili first. For a variety of reasons (e.g. time and relative distance from the city- discussed further below) the first people back were mainly firaku. Upon arrival, they found the scorched earth campaign had left housing particularly hard-hit; the militia had "significantly damaged" up to 30% of houses in Dili, while an estimated 80% of housing across Timor-Leste as a whole was rendered uninhabitable.[59] Housing was in short supply.

Those returnees who arrived in Dili first occupied various lands and properties. These included former Indonesian State properties, private residences, local militia members' houses, and virtually any intact housing belonging to Timorese who had fled and yet to return.[60] However, the National Land Agency (NLA - Badan Pertanahan Nasional) was among the first destroyed, the records were taken onto the street, soaked with petrol, and burned.[61] This meant many formal title records destroyed, either in the NLA itself or by fire in houses where Timorese left when they fled. This left virtually no formal functioning way to handle competing land claims. Since there was no formal system to speak of, incoming Timorese took the path of least resistance and simply ignored the formal regime.[62] For many of those arriving from outside Dili, a formal land system may have been alien given their lack of experience with it.[63]

The situation in Dili was made worse by returning refugees from West Timor and others displaced to the rest of Timor-Leste.[64] The UNHCR and IOM were mandated to plan and implement the return process, but neither organization took complete control over the process, perhaps due to overlapping mandates. Neither agency developed policy stating precisely where returnees would ultimately return; many were therefore returned where they requested, not to where they actually originated. Accordingly, the majority of returnees were sent to Dili, as requested.[65] Transit camps were established, but after spending some time there, returnees were then expected to find their own housing or use the shelter kits given to them (ironically brought from Indonesia).[66] As the only part of the country with economic activity, many returnees remained in Dili, opting not to return to their home districts (where intact housing may not have existed). Indirectly, IOM and UNHCR repatriation activities helped concentrate approximately 53,000 returnees in Dili.[67] Not to disparage either organization, but at the time, housing was not considered a key concern. Return and repatriation were the key aims while the situation was complicated by attacks on ex-militia members by communities, complicated further by militia attacks resulting in the death of three UNHCR workers in Atambua, West Timor.[68] There has since been a movement within the UNHCR to recognize housing and restitution as key issues to ensure sustainable and successful returns, enshrined in the Pinheiro Principles.[69]

The large number of returnees, acute housing shortages across the country, and the lack of economic activity outside Dili caused a population boom in Dili. Accordingly, there was an extreme shortage of housing. Squatters from various parts of the country, namely from the east (firaku) occupied what were then 'abandoned' lands and properties. Some occupiers were able to profit handsomely by occupying multiple houses and renting them out to locals and internationals. Rents ranged between approximately US\$600 up to US\$ 3,000 per month;[70] consider average income is currently an estimated US\$1.01/per day, US\$30.30/month.[71] This illegal rent collecting group consisted largely of easterners – including a number of civil servants and government officials – and caused significant resentment and jealousy among those forced to watch what might have been their own property (or that which they felt they had a valid claim to) rented out to foreigners for large profits.[72] Aggressive means were employed to exclude former occupants from their properties, stoking anger further. Many easterners new to Dili were unable to integrate themselves into their host communities, possibly stemming from aggressive behaviour in defence of newly 'acquired' properties and a lack of previous connections to the city.

Illegal occupation was extremely widespread. The promulgation of Law No 1/2003 required regularization of occupations in exchange for leases with the DNTP and guaranteed continued occupation. Approximately 6000 'illegal' occupants submitted applications to the DNTP for regularization.[73] An estimated 50 percent of housing in Dili was occupied illegally.[74]"

Fitzpatrick, Daniel, February 2002, pp. 7-8

"Most relevantly, for our purposes, the population displacement re-awakened endemic cycles of land conflict. Population flight, particularly during the violence of Japanese and Indonesian occupations, has been a tragic pattern in East Timor's history. In these times of violence, those who have fled land, or been forcibly removed, have often returned to find it occupied by others. The conflict that results has often not been resolved, and thus has re-emerged in the next round of displacement as people take advantage of abandonment, and/or collaboration with the invader, to re-possess lands long claimed by their forebears.¹⁷

While this pattern of displacement and land conflict has been common in rural areas, on this occasion it is now most apparent in Dili, the capital of East Timor. With large numbers of returnees, critical shortages of housing and shelter; and a lack of regional economic activity, the inevitable result was whole-scale migration to Dili. Indeed, in March 2000, one senior CNRT official estimated to the author that a large proportion of all habitable houses in Dili were occupied by people other than their pre-30 August 1999 owners. One ethnic group in particular, from the region around Bacau, had moved into vacant houses in Dili, and allegedly violently resisted attempts at reoccupation by their original owners. Reportedly, it was social conflict caused by this group that led to much publicised violence in and around the Dili markets.¹⁸
(...)

Destruction of property and records

Seriously compounding these problems of population displacement was the destruction of land records, housing, and infrastructure. Militia groups, apparently under direct orders from the Indonesian military, directly targeted land title offices and records. In Dili, they entered the land titles building, took the records outside, set fire to them with petrol, and then torched the building itself. As a result it was estimated, by former East Timorese land titles officers who sifted through the remains, that approximately 80 percent of all underlying records of land in Dili were burnt and irrecoverable. Additionally, because most inhabitants of Dili were forced to flee so quickly, most copies of land titles records or certificates were left behind and also burnt in the general destruction. In other regions the destruction was even more complete, as all land titles offices

were completely burnt and destroyed. Even the Catholic Church reportedly lost many of its land records in the militia violence.¹⁹

(...)

Even without the Dili land titles book, this widespread destruction of land records is not as devastating as it would be in developed land systems. Most land in East Timor is unregistered and governed by customary law. It seems likely that there are still customary authorities who retain institutional memory of land titles and transactions in their area. Moreover, in some areas, the Indonesian administration official charged with witnessing and verifying unregistered land transactions, the *camat* or sub-district head, has remained behind because he or she is East Timorese and retains community support.²¹ These former officials may play an important role in verifying land claims.

Nevertheless, land that was subject to written records tends to have been valuable urban and plantation land, and conflict over this land is thus likely to generate most heat in elite economic and political circles. Moreover, the general absence of written records from the Indonesian era will necessitate reliance on oral evidence and community recognition to verify claims. Sifting oral testimony in developed legal systems, particularly in the absence of documentary evidence, presents notorious difficulties for judges and juries. In East Timor, it will be compounded by the relative inexperience of its lawyers and mediators. This fact highlights the fundamental importance of capacity-building programmes for effective post-conflict reconstruction and development.

(...)

Destruction of housing

Destruction of housing was also a clear objective of the militia. In Dili, for example, a milk truck was used to pump in petrol from house to house, before each was lit and destroyed. According to the World Food Programme, there was almost complete damage or destruction in the Districts of Manatuto, Viqueque, Bobanaro, Suai and Oecussi. Over 30 percent of houses were significantly damaged in the Districts of Liquisa and Maliana. Up to 30 percent were significantly damaged in the Districts of Dili, Aileu, Maubisse, Loro, Baucau, Balibo and Los Palos.²⁵ One result was that, when IDP's and refugees returned to seek shelter, there was an understandable rush to occupy habitable houses. This, in turn, generated some social conflict and a relatively widespread pattern of ad hoc occupation by persons other than the pre-violence occupier.

Messages from the Bishops of Baucau and Dili requesting that people refrain from unlawful occupation were largely ignored in the rush for shelter and properties. By March 2000, ad hoc housing occupations were reportedly causing conflict in Dili, Baucau, Viqueque and Anauro. In Dili, it was a particular problem in both the Kintalbot and Komoro sub-districts.²⁶ Indeed, these two quite different areas provide an example of different aspects of the problem. Kintalbot is an area with slums which were largely unregistered in the Indonesian system of land titling. It was largely occupied by poor and displaced persons, generally from areas other than Dili. The Komoro housing estate, on the other hand, is an up-market area of mainly Indonesian-owned estate housing. In some cases, this housing was allegedly occupied by opportunists, who then sought to rent them out to foreigners at increasingly lucrative rates.²⁷

Inability of UNTAET to address land and housing issues left many disputes unresolved

- Efforts of the Land and Property Unit (LPU) within UNTAET to address housing issues were largely unsuccessful, mainly because it was understaffed and underfunded, but also because UNTAET did not establish any conflict resolution mechanisms for land and property disputes.

Harrington, Andrew, February 2007

"When UNTAET deployed, there was no dedicated department for housing. When the Land and Property Unit (LPU) was finally operational months after being established, it was not given neither the funds to construct public housing nor adequate staff to deal with such issues.[78] UNTAET (or rather those in charge of policy) perhaps did not understand the historical role disputes over land and property has in driving intra-Timorese conflict in Dili – namely that described above between firaku and kaladi groups. Considering the breadth of UNTAET's role in running the country, it is not surprising some issues were overlooked, despite UNTAET being widely considered as the most successful UN operation to date. Were the international community aware of these past disputes, a different course of action might have been followed.

The LPU's subsequent efforts to address housing issues were largely unsuccessful due to a combined set of circumstances militating against success, namely reservations over addressing complexities of a sputtering socio-economic situation and institutional trepidations over the difficulties associated with such a task. The LPU drafted at least eight policy papers lobbying for more support and a broader mandate.[79] Wright notes at least some draft legislation drawn up by LPU to deal with land issues was actually rejected by the Timorese Cabinet itself, rather than UNTAET.[80]

Fitzpatrick, who served on the UNTAET LPU, noted the absence, first of a dedicated housing division, and second, the absence of any budgetary provisions for public housing construction in 2000.[81]

(...)

In addition to (perhaps because of) the lack of resources allocated to the LPU, Fitzpatrick notes UNTAET did not establish any conflict resolution mechanisms for housing, land and property disputes in general or disputes caused by the mass delivery of returnees to Dili. Some have asserted this was due at least in part to resistance among Timorese politicians with property interests standing to gain from the lack of clarity. While Court proceedings remained open to land disputants, the formal judicial system likely would not have been up to the task.[84]

The LPU did not provide any public housing (except for international staff, though an actual housing unit probably ought to have been created specifically to deal with the issue); an administrative system governing transactions of private lands was not established; and finally did not provide any systemic incentives for returnees to return to home Districts.[85] Overall, because the LPU did not have the capacity it needed, it proved an impossible task to handle (or prevent) extensive illegal occupations while trying to accommodate the disorderly flow of people into Dili.

In the attempt to deal with the situation, the LPU began granting "Temporary Use Agreements"[86] (TUA) for abandoned private lands, thereby regularizing illegal occupations and generating a modest income stream. Unfortunately this caused further disputes when 'true' owners who had were forced to flee returned and found their residences and properties occupied 'legitimately' under a TUA issued by the LPU. Some properties under TUA agreements were sublet or sold illegally to third parties.[87] The LPU, as noted by Fitzpatrick, had no way to resolve these disputes. The LPU was also unable to ensure proper implementation of UNTAET Notification No. 16/2000 on fees relating to land, buildings and property. The requirement that fair market value rent be charged for all properties administered by UNTAET was not enforced.[88] Former LPU member Warren Wright noted "many Temporary Use Agreements were made requiring a nil or nominal rental fee of \$1 per month." [89] Some high profile cases arose where private properties being put to commercial uses had incorrectly been awarded low payment TUAs,[90] while others were sublet to international staff for large rent incomes (noted above). Such practices clearly constituted abuse of the system set up to accommodate homeless Timorese[91] – perhaps made worse by the fact that UNTAET spent the revenues derived from TUAs, instead of holding them in trust for the actual owners which UNTAET's fiduciary duty to the Timorese ought to have dictated.[92] As a result of such abuses, TUAs were eventually revised to

exclude private abandoned properties, but left a legacy of unresolved disputes and intra-community jealousy.[93] TUA housing occupations formalized horizontal inequality between occupiers (namely easterners) and those whose properties were being occupied (namely westerners). It helped to stir significant tension along these lines.

(...)

UNTAET did not introduce sufficient policy responses to deal with widespread property destruction and subsequent illegal occupations. Measures to prevent and rectify occupations of land and property on the basis of first-come-first-served were not taken, and this is precisely what occurred.[97]"

Violence and displacement during Indonesia's colonisation (1975-1999)

Forced displacement used by Indonesia against East Timorese as a tool for social control and as a war strategy

- According to the CAVR report, issued in January 2006, most East Timorese living today have experienced forced displacement at least once.
- Between 84,200 and 183,000 people died during the period 1975-1999, mainly of famine-related causes mostly during the period 1977-1978 at the height of Indonesian attacks against FRETILIN bases.
- Displacement took many forms including: spontaneous flight to escape danger, scattered or in groups, forced resettlement in camps at the end of 1970s.
- Displacement also meant vulnerability to other violations, including arbitrary detention, torture and ill-treatment, extrajudicial killings, sexual violence, forced labour and forced recruitment.
- CAVR concluded that Indonesia displaced people from their homes repeatedly in order to control them, used food as a weapon of war, refused for reasons of military strategy to allow international humanitarian agencies access to Timor-Leste until famine had reached catastrophic proportions, and forcibly displaced East Timorese civilians to West Timor for purely political ends.

CAVR, 'Forced Displacement and Famine', 30 January 2006, pp. 143-144

"The Commission finds that:

1. The people of Timor-Leste experienced repeated periods of displacement, often in massive numbers, between 1975 and 1999. Most individual East Timorese people alive today have experienced at least one period of displacement. Many have experienced several. All displacements caused major disruption to the lives of those affected. Some directly caused major loss of life.

2. At a minimum, during the period 1975-1999, 84,200 people died due to hunger and illness in excess of the peacetime baseline for these causes of death, and that the figure could possibly be as high as 183,000. The overwhelming majority of these deaths occurred in the years 1977-1978 and during the period of large-scale Indonesian military attacks on Fretilin bases in the interior where large numbers of civilians were living and in 1979 during the subsequent period of Indonesian military detention camps and ABRI/TNI-controlled resettlement areas.

3. These displacements took many forms, occurred in a complex variety of circumstances and lasted for periods that could extend from days to years. For example:

In the period before and during the civil war of August-September 1975 displacement commonly took the form of flight to escape coming under the control of or being subjected to violence by one of the parties to the conflict.

After the Indonesian invasion in December 1975 some people fled spontaneously either in response to perceived threats or to escape a very real and present threat. At the same time Fretilin organised the evacuation of communities, sometimes resorting to coercive methods.

When the Indonesian military stepped up its attacks on Fretilin and the population under its control from 1977 onwards, some groups scattered, others were forced to keep constantly on the move to evade capture, and yet others moved in an orderly fashion to new locations.

The massive Indonesian assaults on the population concentrations still under Fretilin control that lasted from late 1977 until the end of 1978 ended with tens of thousands of people being forced into resettlement camps under the strict control of the Indonesian military. In these and subsequent displacements by the Indonesian military, such as those to the island of Ataúro in the early 1980s, the displaced found themselves being subjected to a rigorous form of detention intended to further Indonesian military objectives.

The large-scale movements that took place in the period surrounding the Popular Consultation of 30 August 1999 involved both flight from TNI and militia violence and forced deportations to West Timor.

503. Whatever form it took displacement invariably had a seriously damaging impact on those affected, including by ending in the deaths of tens of thousands of people.

4. Death was caused by famine, famine-related diseases, vulnerability to sickness from hunger, fear or exhaustion and a lack of access to medical care. It is likely that more people died from the effects of displacement than from any other violation. While the actual number of deaths is incalculable.

5. For the survivors, displacement was the direct cause of a deep and abiding anguish at the loss of family members in horrific circumstances, which they were powerless to control or change. Displacement also meant vulnerability to other violations, including arbitrary detention, torture and ill-treatment, extrajudicial killings, sexual violence, forced labour and forced recruitment. It also regularly entailed hunger and deprivation of the means of making a livelihood through the destruction of or loss of access to food crops, livestock, housing, agricultural implements and land.

6. Displacement also disrupted the fragile subsistence economy on which the majority of the population depended. One indication of this disruption was the dramatic fall between 1973 and 1980 in the number of livestock, which are crucial as factors of production, means of transportation and sources of wealth in East Timorese agricultural communities. The devastation of Timor-Leste's livestock was closely related to the wider disruption created by displacements, resulting as it did from their abandonment by fleeing communities, their intentional destruction by Indonesian forces, their consumption by a population desperate for any form of sustenance, and their deaths due to starvation and bombardment.

7. In Timor-Leste displacement was a violation that primarily affected communities. Its affect on communities was often long-lasting and utterly destructive of their integrity. Displacement was often used indiscriminately by the Indonesian military against communities or groups within communities as form of collective punishment and sometimes as a form of hostage taking.

8. Displacement was a persistent theme running throughout the period of the Commission's mandate. This was so not just because 1974-99 were years of conflict in Timor-Leste. The Commission believes that some of the most harmful impacts of displacement were the direct result of mistaken policy decisions. The Commission believes, for example, that Indonesia displaced people from their homes repeatedly in order to control them, used food as a weapon of

war, refused for reasons of military strategy to allow international humanitarian agencies access to Timor-Leste until famine had reached catastrophic proportions, and forcibly displaced East Timorese civilians to West Timor for purely political ends."

Widespread famine in IDP camps and settlements under Indonesian military control (1975-1979)

- According to the CAVR report, many people captured had to live in internment and resettlement camps for several years.
- People lacked food and basic services in the camps and were left with very limited access to their food gardens.
- Many died of malnutrition and had to grant sexual favors or pay money for food.
- In 1979, when US Catholic Relief Services arrived in the camp, it estimated that 200,000 people were in a "serious or critically malnourished condition".

CAVR, 'Forced Displacement and Famine', 30 January 2006, pp. 148-149

"508. The Commission finds that:

44. People who surrendered or were captured by the Indonesian military had to live in camps for up to several years. The camps were supervised and monitored closely by the military. They were created for security reasons, not for the welfare of the population in them.

45. Civilians who surrendered or were captured were first moved to transit camps for registration and interrogation before being relocated to internment and resettlement camps and later to resettlement villages. While security controls eased at each of these stages, a defining characteristic of all such camps or villages was restricted or no access to gardens located further than a specified distance from these settlements.

46. The Indonesian military gave a higher priority to the attainment of military objectives than to meeting its humanitarian obligations to the inmates of these camps. From the time of their creation, provision for basic food and survival needs in the camps was inadequate.

47. The camps became the sites for a fully-fledged famine in which unknown numbers died. Already in a weakened state when they entered the camps, internees endured extended periods without access to food gardens or emergency humanitarian aid. The food that they received from the military was utterly inadequate to keep them alive. It was also often inappropriate for people already suffering severe malnutrition. Even the meager rations that the military made available to camp inmates were distributed in a discriminatory way. The Commission has learned that in exchange for food the military and their auxiliaries extorted money, family heirlooms and other valuables (for example gold and traditional beads), and sexual favours.

48. Although the military campaign waged by the Indonesian military in 1977-78 had aimed precisely at the outcome it achieved -namely the mass surrender of the population under Fretilin control into areas under Indonesian control-the Indonesian authorities made little or no preparation for meeting the barest needs of this population for shelter, food and medicines. In the early stages of this campaign it must have become apparent to the Indonesian military that the surrendering population was seriously debilitated and in dire need of these essentials for their survival. However, rather than creating conditions that might avert famine, it both neglected the basic needs of the surrendering population and imposed restrictions and sanctions on them that were bound to make their already dire circumstances even worse.

49. The scale of the famine in mid- to late 1979 and the fact that it was rapidly worsening can be seen in international aid agency reports of the time. For example, as a result of its survey in April 1979 US Catholic Relief Services estimated that 200,000 people were in a "serious or critically malnourished condition". By September 1979 it found that the number of people in this condition was closer to 300,000. The International Red Cross described 60,000 out of the 75,000 people it surveyed in July 1979 as being "in a state of alarming malnutrition" including "20,000 dying from hunger".⁵¹⁵

Resettlement from camps to strategic villages and displacement as a form of collective punishment (1980-)

- In the early 1980s, the Indonesian authorities started dismantling resettlement camps, not as much out of humanitarian concerns, but in order to relocate them to strategic or new villages.
- Forced displacement was also imposed as a form of collective punishment in the wake of guerilla attacks.
- A total of 6,000 people, most of whom were relatives of resistance fighters, were displaced to the island of Atauro from 1980 to 1984. An estimated 5 per cent of the displaced died because of the harsh living conditions, lacking basic services and food.

CAVR, 'Forced Displacement and Famine', 30 January 2006, pp. 150-151

"510. The Commission finds that:

58. From the early 1980s the Indonesian authorities introduced new forms of displacement. These were related to two separate developments. The first was the decision to dismantle or scale down the resettlement camps that had been established to accommodate the population that had surrendered in the late 1970s. The second was the reorganisation of the Resistance as a guerrilla force capable of launching localised attacks on ABRI.

59. For many the decision to move them out of resettlement camps did not lead to a marked improvement in their living conditions. There were some positive aspects, in particular the provision of schools, clinics, markets and easier transportation. However, the Commission has overwhelming evidence that at least during the first half of the 1980s, this phase of displacement was often managed in such a way as to ensure that those displaced did not enjoy the supposed benefits of the programme. Yet again it was a programme that served military objectives, but did not guarantee survival. For many of those moved, their transfer from resettlement camps to strategic villages, new villages and even back to their own villages did not substantially improve their lot. Restrictions on freedom of movement continued to have a serious impact on food production and thus on people's well-being.

Moreover, even after the resettlement camps were dismantled, settlement patterns in Timor-Leste remained radically different from their pre-invasion form. Even today there are many signs of it. Many people were forced to live in towns and along major roads. Many fertile areas of the country were abandoned.

61. The displacements carried out in response to signs of that the Resistance had survived the destruction of its bases were heavily punitive. These displacements took place following guerrilla attacks, defections to the Resistance by East Timorese who had been enlisted into Indonesian civil defence units, and the establishment of clandestine support networks. They involved the collective punishment of whole communities and the proxy punishment of relatives of people still fighting in the forest and interior.

62. A cumulative total of more than 6,000 people were forcibly displaced to the island of Ataúro between mid-1980 and 1984. At its peak in late 1982 the displaced population exceeded 4,000. The majority of people sent to the island were not political activists or Resistance fighters, but people from the 12 districts (excluding Oecusse) who were relatives of or were suspected of having contact with Resistance fighters still in the forest. They consisted predominantly of women and children, and found it extremely difficult to fend for themselves in an environment which was extremely barren. They were kept on the island for periods ranging from a few months to six years. Those who arrived in the first wave of forced displacement were not given adequate food or other support. The Indonesian military was also negligent in its provision of basic medical care, clean water, sanitation and shelter. About 5% of the people displaced to Ataúro died there. Some were able to survive because they received help from the local population, even though an influx of people in numbers that were not far short of the island's total indigenous population put a severe strain on its meagre resources. Conditions improved when the International Red Cross was permitted entry in 1982. When people were released from Ataúro, some were merely transferred to other areas for a further period of internment.

63. Some of those detained after attacks by members of the Resistance on military posts and units were also sent to Ataúro. Others were displaced from their home villages and sent to areas where they had to rebuild their lives virtually unaided in extremely inhospitable environments. This was the fate of many of the inhabitants of the villages in Ainaro and Manufahi that took part in the Kablaki uprising of August 1982 and of the mainly women survivors of the mass executions that followed the Kraras (Viqueque) uprising in August 1983. The latter group were sent to the previously uninhabited area of Lalerek Mutin where they were left to fend for themselves under tight military surveillance. The population of Lalerek Mutin suffered sexual violations, disappearances, hunger, disease and death there. Their treatment was strikingly similar to that of the people from Ainaro who had been moved to the villages of Raifusa and Dotik in the district of Manufahi the previous year."

Violence and displacement around the 1999 independence vote

Violence and threats cause displacement prior to the popular consultation (February-August 1999)

- Flight, especially hiding in the hills, has been a long-standing coping mechanism of the East Timorese given the political tensions and serious violations of human rights.
- Mass displacement did not begin only after the results of the popular consultation were announced but also occurred in the months leading up to the ballot.
- As of February 1999, 60,000 fled mostly from isolated villages to district towns and, often, onwards to the capital Dili, following a campaign of intimidation and violence launched by pro-integrationist militia against persons and communities considered to support independence.
- Since many displaced people had lost their ID documents UNAMET introduced a system whereby IDPs could register to vote.
- 98 per cent of the registered electorate voted and 78 per cent of the voters rejected the government's autonomy offer.
- A number of people reportedly voted and then immediately fled into the hills.

CHR, 6 April 2000, pp. 4-5

"11. In East Timor, displacement is not a recent phenomenon. Flight, especially hiding in the hills, has been a long-standing coping mechanism of the East Timorese given the political tensions

and serious violations of human rights that have characterized the Territory's history since its annexation by Indonesia in 1975. During that period, the Representative was informed, a large number of people also were forced by the Indonesian authorities to move from their traditional homes in the mountains into urban areas. This report, however, focuses on the heightened displacement crisis associated with the popular consultation on the Indonesian Government's offer of autonomy for East Timor within Indonesia, held on 30 August 1999. Mass displacement, it is important to underline, did not begin only after the results of the popular consultation were announced but also occurred in the months leading up to the ballot.

A. Prior to the popular consultation

12. As early as February 1999, following the Government's proposal in January for either greater autonomy or independence for East Timor, a campaign of intimidation and violence launched by pro-integrationist militia against persons and communities considered to support independence began to generate significant internal displacement. An estimated 60,000 persons became internally displaced, fleeing mostly from isolated villages to district towns and, often, onwards to the capital Dili. Initially, those fleeing tended to be taken into the homes of relatives and friends. As their numbers increased, churches became principal centres of refuge.

(...)

15. Regarding the apparent aim of the intimidation, the Representative received reports of internally displaced persons being forcibly grouped together by militia for the purpose of indoctrinating them to vote pro-autonomy, with this occurring five to six weeks before campaigning was officially allowed to begin. And yet, the very fact of being displaced presented obstacles to the exercise of the right to participate in the popular consultation. The process of voter registration required the presentation of two forms of personal identification – documents that for many of the internally displaced had been destroyed or lost in the course of displacement. In an important initiative to overcome this problem, the United Nations Mission in East Timor (UNAMET), which was charged with overseeing the popular consultation, introduced a system whereby an affidavit from the village chief, priest, or other community leader from either the area of origin or the area to which the person concerned had been displaced was sufficient to enable internally displaced persons to register to vote.

16. Notwithstanding the intimidation and violence characterizing the period leading up to the vote, the high voter turn-out - 98 per cent of the registered electorate - indicates that they did not keep people from voting, or from voting to reject the Government's offer of autonomy, as did 78 per cent of the voters. Indeed, the Representative was informed that one of the highest voter turn-outs was by a community of internally displaced persons, all of whom (save two persons, of whom one was giving birth) courageously participated in the vote despite the severe intimidation and risks to their personal security. In another indication of the importance that the population attached to their participation in the popular consultation, it was reported that a number of people reportedly voted and then immediately fled into the hills."

CAVR, 'Forced Displacement and Famine', 30 January 2006, pp. 151-152

"511. The Commission finds that:

64. There was a direct connection between the creation of anti-independence militias in Timor-Leste from late 1998 and an upsurge in violence which caused fear, displacement, deprivation and death.

65. This fear was compounded by a widespread understanding that despite the obligation of the Indonesian Government under the 5 May Agreements to create and maintain a secure environment for the Popular Consultation, the militia groups had the support of the TNI and the wider governmental apparatus, and on that basis enjoyed impunity for their actions. Most of the violence and intimidation in Timor-Leste in 1999 was conducted by militia members rather than Indonesian military personnel. Much of this violence did however occur in the presence of armed Indonesian military or police who took no action to prevent it. People seeking police protection from militia violence were denied assistance.

66. There is strong evidence that the militia groups forcibly recruited members into their ranks. One reason why people fled their homes was to avoid recruitment into the militias.

67. Militia violence before the Popular Consultation reached a peak in April 1999 with attacks in many places, the massacre at the Liquiça Church and spontaneous flight of many people. They sought refuge in the remote locations in the countryside, with relatives in other areas and in church compounds. Some, from the western districts and Oecusse, crossed the border into West Timor (Indonesia).

68. The objective of militia violence was to win a majority for the autonomy option in the ballot of 30 August. In the lead-up to the Popular Consultation it used violence indiscriminately to secure that outcome. Thus, while it also targeted those who were prominently identified as pro-independence, such as leaders of CNRT and members of proindependence student organisations, ordinary civilians and whole communities and those who offered them protection, including the Church, also became its victims. One reflection of these priorities is that the militias (and the TNI) did not engage militarily against Falintil forces.

69. Under threat of this indiscriminate violence from militia groups, large numbers of people stayed away from their normal places of residence. One authoritative source estimate as many as 60,000 were displaced. Many returned only to register or vote before again returning to places of refuge.

70. As the number of displaced persons grew and settled in large concentrations in places where they thought they would find safety, their living conditions deteriorated, in some cases becoming acute.

71. The Indonesian authorities and their militia allies resorted to a variety of means, including bureaucratic obstructionism and violence, to thwart attempts by local NGOs, supported by UNAMET and UN agencies, to give humanitarian assistance to the displaced.

72. Poor security conditions and the associated flight of large numbers of people during 1998 and 1999 disrupted the planting of food crops. This compounded food shortages caused by a poor harvest in 1998 due to low rainfall."

Violence and displacement following the announcement of the results of the popular consultation (September 1999)

- Displacement occurred after the announcement of the results of the ballot was characterized by systematic and widespread violations of human rights, violence and mass destruction unleashed by prointegration militias with the collusion of elements of the Indonesian security forces
- 80 per cent of the population was displaced by violence following the announcement of the results.

- 500,000 fled within East Timor, mainly in the hills while 240,000 fled or were forcibly relocated in West Timor and elsewhere in Indonesia.
- The mass removal of some 250,000 persons from East Timor to West Timor was reportedly prepared in advance by the military, in cooperation with the police.
- It aimed at discrediting the process of popular consultation by signalling that a sizeable portion of the population disagreed with the results and thereby calling into question the legitimacy of the outcome.

CHR, 6 April 2000, pp. 4-7

B. Following the announcement of the results of the ballot

17. In the days and weeks following the announcement on 4 September of the results of the ballot, the displacement crisis escalated dramatically, affecting an estimated 80 per cent of the population of East Timor. Displacement occurred in two major patterns: some 500,000 persons fled within East Timor, mostly going into hiding in the hills and usually only a few kilometers from their homes, while an estimated 240,000 fled or, as is reported to have been most often the case, were forcibly relocated, principally to West Timor but also to other parts of Indonesia. Displacement also occurred to other countries: some 1,500 persons were assisted by the international community in being evacuated to Australia.

(...)

19. As has been well documented in other reports, the general context in which displacement occurred after the announcement of the results of the ballot was characterized by systematic and widespread violations of human rights, violence and mass destruction unleashed by prointegration militias with the collusion of elements of the Indonesian security forces. Many people spontaneously took flight both within and outside of East Timor, in an effort to escape these conditions of severe physical insecurity. However, displacement was also systematic, such that large numbers of persons did not flee but were forcibly relocated, that is, deliberately moved against their will. In several cases, people reportedly were ordered from their homes and, often at gunpoint, herded onto trucks, ships and planes, destined principally for West Timor but also for other parts of Indonesia. From the point of view of logistics alone, the operation appears to have been highly organized, with advance planning having been required. Indeed, the Representative was informed of documentary evidence indicating preparations on the part of the military, in cooperation with the police, in advance of the announcement of the results of the popular consultation, for the mass removal of some 250,000 persons from East Timor to West Timor. The displacement and evacuation of people, along with the intimidation, terror and destruction of property that occurred, the Commission of Inquiry has concluded, "would not have been possible without the active involvement of the Indonesian army, and the knowledge and approval of the top military command" (A/54/726-S/2000/59, para. 138).

(...)

22. To a certain extent, the wave of violence and destruction unleashed after the announcement of the outcome of the popular consultation was a reaction of rage and revenge on the part of pro-integrationist forces to the results of the ballot, which clearly were not in their favour. These feelings were undoubtedly magnified by what, it was suggested, must have been a sense of shock and disbelief at the overwhelming size of the pro-independence majority. Acts of spite appeared to be intended to ensure that independence for East Timor would come at a heavy price, including in terms of denying East Timor the benefits of the infrastructure and other material investment that had been made over the years, thereby undermining its successful development as an independent nation. It was also a widely held view that the actions of the pro-integrationist forces in East Timor were intended to serve as a foreboding message to secessionist movements elsewhere in the Indonesian archipelago. While East Timor may be considered an exceptional case given its history, it is believed that the Indonesian military nonetheless were, through their actions there, giving a warning signal to insurgent movements in a number of places in Indonesia, most notably in Aceh.

23. Regarding both flight and the measures of forced relocation to West Timor and elsewhere in Indonesia, a number of overriding political factors appear to have been at play. The sudden mass movement of large numbers of people from East Timor, including both pro-integrationists who fled for fear of their own security and persons supporting independence who were forcibly relocated, appears to have been aimed at discrediting the process of popular consultation by signalling that a sizeable portion of the population disagreed with the results and thereby calling into question the legitimacy of the outcome. If the hope was that the ballot accordingly would be redone, it was suggested that it was likely believed that the electorate would by that point have been so terrorized as to ensure a radically different result. It was also suggested that the mass displacement would assist in fostering the impression that East Timor was on the verge of civil war and descent into chaos against which Indonesia could act as a stabilizing influence. The most widely held view was that the mass forced relocation was undertaken in order to ensure for pro-integrationist forces a constituency or power base in West Timor and even a potential "bargaining chip" in future negotiations. This last reason would appear to best explain why, as will be explored below, displaced persons in West Timor continue to be impeded from returning even months after the Government of Indonesia accepted the results of the ballot."

CAVR, 'Forced Displacement and Famine', 30 January 2006, p. 152

"73. The comprehensive "scorched earth" tactics employed by the TNI and the militia groups after the Popular Consultation, marked by threats of violence, killings, mass forced deportations and the destruction of public and private buildings throughout Timor-Leste, caused the bulk of the population to become displaced, either internally or externally.

74. About 250,000 people were displaced to West Timor after the ballot. Detailed plans for the evacuation of a large proportion of the population, involving several Indonesian Government ministries, had been drawn up well before the ballot. Most of these people were forcibly displaced, that is, violence or the threat of violence was used to ensure that the civilian population complied with the wish of the Indonesian authorities that they should leave Timor-Leste.

75. East Timorese in camps and other places in West Timor where people had settled continued to be subject to the control, intimidation and violence of militia members. Many who wanted to return to Timor-Leste were prevented from doing so by a combination of threats and misinformation from militia members.

76. While international aid organisations were able to distribute humanitarian assistance to the forcibly displaced, they were also subject to control, intimidation, attacks and killings by militia members."

Between 10,000 and 40,000 former East Timorese refugees still displaced in West Timor (May 2006)

- In May 2003, a Presidential Decree provided the former refugees with two options: register as Indonesians citizens or accept temporary resident status
- Government no longer tolerates refugees living in camps and they have been told to move – either to return immediately to East Timor or resettle elsewhere in Indonesia.

- Rumour mill and the absence of unbiased and appropriate information in West Timor continue to pose obstacles for those who wish to return.
- With violence no longer a threat, a cessation clause on refugee status has been invoked by UNHCR
- As of early 2005, an estimated 28,000 ex-East-Timorese remain in West Timor. 12,000 have been relocated elsewhere in West Timor and 16,000 remain in camps near the border.
- In 2006, estimates on the number of former East Timorese refugees still living in a situation akin to displacement ranged from 10,000 to 40,000

Oxfam G-B, January 2003

"Amidst the violence that followed the UN-sponsored referendum on East Timor's (now Timor-Leste) independence in September 1999, some 280,000 East Timorese crossed the border into the Indonesian side of Timor island. Some fled to escape violence, but many were coerced to leave their homes and cross the border by armed militia. Living under the noses of militia in rudimentary refugee camps in West Timor has meant limited access to reliable information on the situation back at home. So the process of refugee return has been a slow and painful one. As of early 2003, most refugees have managed to make their way home to East Timor. But 30,000 others remain behind.

Living alongside an equally poor local population in West Timor, in January 2003 these East Timorese are now, once again, stuck between a rock and a hard place. The government of Indonesia will no longer tolerate refugees living in camps and they are being told that they must move – either to return immediately to East Timor or resettle elsewhere in Indonesia. The fact that refugees have chosen to stay in the camps despite the poor conditions and in spite of this government policy is indicative of the vast uncertainties associated with leaving the camps.

Oxfam GB, in collaboration with a local partner, Centre for Internally Displaced People Service/CIS, and Jesuit Refugee Service, organised a survey to find out what is blocking the pursuit of successful durable solutions and to offer the refugees a chance to voice their concerns.

On the one hand, although repatriated refugees have successfully re-integrated into their home communities in East Timor, our interviews revealed that the rumour mill and the absence of unbiased and appropriate information in West Timor continue to pose obstacles for those who wish to return. Despite the keen desire to return home, many remain sceptical – even fearful – of what lies in wait in East Timor.

On the Indonesia side, the basic requirements have yet to be met. There is no infrastructure, basic services or options for getting a livelihood. Nor is there any acceptance by the local population of the need to accommodate the refugees, and help them get a viable and secure standard of living. Already there have been several cases of locally resettled refugees abandoning settlement sites as a result of friction with the local population.

What is clear from our interviews is that not only do the refugees lack durable solutions, they simply do not have enough information to know which option holds the best chance for a secure future. Lack of information leaves refugees vulnerable to continued deprivation as well as potential intimidation and coercion.

In the meantime, as of January 2003, with violence no longer a threat, a cessation clause on refugee status has been invoked by UNHCR, UN refugee agency. This means that the East Timorese in Indonesia are no longer entitled to international protection as refugees."

OCHA, 9 April 2004, p. 17

"A Presidential Decree adopted in May 2003 and subsequent instructions from the Department of Home Affairs provided the former refugees in West Timor with an opportunity to register either as Indonesian citizens or accept temporary resident status (in anticipation of future return). The registration is combined with the issuance of relevant documentation, including Identity Cards."

Writenet, February 2005, p. 22

"Following a five-point strategy put forward by the UNHCR, the Indonesian government relocated approximately 12,000 people from camps along the border, but only to other parts of West Timor rather than other parts of Indonesia, which left some 16,000 individuals near the border. Overall, there does not appear to have been any large movements of people out of West Timor; nor has border demarcation been finalized."

UNCHR, 22 March 2005, p. 14

"The Office of the United Nations High Commissioner for Refugees (UNHCR) estimates that there are still some 28,000 East Timorese who have not returned to Timor-Leste. This represents 10 per cent of those who fled or were forced to flee the violence in 1999. UNHCR also estimates that, of those remaining in Indonesia, many have chosen to do so. UNHCR continues to assist this group by assuring access to nationality rights, shelter, school and water projects. As of 15 November 2004, 248 people had returned during the year."

UCA News, 10 February 2006

"Long barracks with roofs of palm leaves or tarpaulin and walls of palm stalks house former East Timor refugees in Haliwen village.

The 3,500 people are among 80,000 people living in West Timor who left East Timor in 1999 and have become Indonesian citizens, according to East Nusa Tenggara (NTT, Indonesian acronym) provincial data.

Most of them have relocated from refugee camps to other places in West Timor, but 14,443 refused resettlement. Approximately 250,000 people came across the border from East Timor, then also part of Indonesia, amid violence following an August 1999 vote for independence. Those that did not return by the end of 2002 automatically became Indonesian citizens and were no longer considered refugees.

(...)

According to Father Seran, 63,000 former East Timor refugees now live in Belu and neighboring North Central Timor, the two districts covered by Atambua diocese. Among them about 20,000 children under 12 years old are in danger of not getting an adequate basic education.

(...)

Besides the camp in Haliwen, other camps that still house former refugees are in Belu's Kada village, Kefamenanu and Noelbaki village, near Kupang, at the western end of Timor Island, capital of NTT province."

ICG, 4 May 2006, p. 2

"Following the 30 August 1999 referendum in which East Timorese voted to separate from Indonesia, four broad groups crossed the border into West Timor: members of Indonesian army-sponsored militias, along with their families and supporters; Indonesian civil servants, both Timorese and non-Timorese; those forcibly deported by the militia or Indonesian military (TNI); and those independently fleeing the post-poll violence. Many of the some 250,000 swiftly returned, according to UNHCR figures, 126,000 in the first three months. Those who stayed longer were initially considered refugees but lost that status at the end of 2002 and are considered Indonesian citizens. These former refugees can still go back to Timor-Leste but the rate of returns is now modest. In 2005, only around 500 took part in the repatriation program, and a scheme that provided incentive funding for repatriations has now ended.

Most of those who have elected to stay live in two districts: Belu, which borders Bobonaro and Covalima in Timor-Leste, and Timor Tengah Utara (TTU), which borders Oecusse. Precisely how many there are is a matter of debate. Before it wound up its operations in West Timor at the end of 2005, the office of the United Nations High Commissioner for Refugees (UNHCR) estimated that about 10,000 former refugees were "living in conditions of concern", while 16,000 others had been resettled within West Timor. Other estimates are higher: a local NGO, CIS Timor, says 9,000 families (approximately 40,000 people) are in camps; the Belu district government lists 7,734 families still living in emergency housing in that district alone, while East Nusa Tenggara Governor Piet Tallo cited a figure of 104,436 individuals remaining in West Timor."

Displacement linked to the April-May 2006 violence

Complex roots of the conflict (January 2007)

- Following the dismissal of about 600 soldiers, or 35 per cent of the army forces, demonstrations by the dismissed soldiers and sympathizers hostile to the government turned into riots with youth gangs armed with machetes and home-made weapons rampaging through Dili looting and burning shops and houses.
- Political divisions within the governing elite, dating back from the pre-independence period and which had impregnated the main state institutions, such as the police and the army, are the main causes of the conflict.
- The conflict quickly spread among the population articulated around perceived regional differences between Lorosaes (Easterners) and Loromonus (Westerners).
- Underlying factors of the conflict include weak state institutions, unresolved land and property disputes, prevailing poverty, a worsening economic situation and a large number of disempowered and disillusioned youth.

ECHO, 21 February 2007, p. 1

"Four years after Timor Leste gained full sovereignty in 2002, the apparent stability that the country seemed to enjoy has given way to civil strife and communal violence, leading to the displacement of large numbers of people throughout the country.

The crisis began with the dismissal in March 2006 of 594 soldiers, representing 35% of the Timorese army. The tensions gradually unfolded, with demonstrations demanding the removal of elected leaders and turning into riots. Gangs with guns and machetes terrorized the population of the capital Dili and occupied government buildings, looting and burning houses, shops and warehouses, murdering people, and attacking security forces.

Divisions that formed during the 24-year occupation of Timor Leste by Indonesia and were carried over after the independence of Timor Leste are the main reason for the crisis. Tensions between the Timorese political leaders are continuing, and the political situation is expected to remain unstable until the next presidential and parliamentary elections provisionally scheduled to take place in March and April 2007. A perceived regional division between the Lorosaes (Easterners) and the Loromonus (Westerners) in the country adds further complexity to the situation.

There are several additional underlying causes for the crisis that all fuel the general discontentment and encourage criminality. Prevailing poverty results in general food insecurity and widespread malnutrition, with 45% of Timorese children below five years of age being underweight¹. Access to basic social services like health care, water and sanitation and education is very limited, particularly outside the capital. Demographic factors including a fertility rate of 7 children per woman and a population growth of 3.2%², both among the highest in the world, are obstacles to the development of the country."

OCHA, 16 January 2007, p. 7

"The crisis originates from a complex combination of factors with political elements; extreme poverty, institutional failure and demographic factors being underlying causes. Timor-Leste declared its independence from Portugal on 28 November 1975. Nine days later Indonesia invaded and occupied the new country. Timor-Leste finally gained its independence in 2002, after 24 years of occupation, during which an estimated 180,000 Timorese died in a bloody resistance war. Divisions that formed during resistance times were carried over into the post-conflict government and the newly developed national security forces. Virtually all of the current political class are or were once members of the dominant political party, the Revolutionary Front for the Liberation of East Timor (FRETILIN). A long series of disagreements finally erupted in outright fighting on 25 May 2006, when members of the armed forces (Falintil – Forças Democráticas de Timor-Leste (F-FDTL)) and police forces (Policia Nacional de Timor-Leste (PNTL)) confronted each other. The violence was fuelled by a perceived regional division between people from the West (loromonu) and the East (lorosae) stemming from deep divisions within the ruling elite, which spread quickly through state institutions and into broader society. Violent clashes were followed by arson and fighting, mainly carried out by gangs of youths in the absence of law and order."

USAID, November 2006, pp. 1-2

"The immediate trigger of the crisis was the dismissal in March 2006 of 594 soldiers from the FALINTIL-Forças de Defesa de Timor-Leste (F-FDTL), a group known as the "petitioners". This group constituted approximately 40 percent of the F-FDTL. Most of the petitioners were from the

west of the country and had gone on strike in January claiming discrimination and mismanagement by senior officers, who were primarily from the east. This was the spark that ignited the fire of the crisis in Timor-Leste.

In retrospect, however, it is clear that a number of key motives, means and opportunities for violence were coming together over the past few years to underpin the crisis that ultimately erupted in April/May 2006. The most salient underlying dynamics included:

- Disagreements and rivalries among Timor-Leste's political leaders;
- Weak and politicized governance (especially in the security sector);
- Severe inadequacies in the justice system;
- Widespread absence of reliable information and severely limited formal channels for communication; and
- A disaffected, disillusioned and largely disempowered population.¹

A number of more proximate causes were also aligning over the past year. Among the most important of these was the exploitation by self-interested actors of confused and competitive mandates within key institutions, namely the Ministry of Interior, Ministry of Defense, F-FDTL and Polícia Nacional de Timor-Leste (PNTL). As a result, factionalization and politicization within F-FDTL and PNTL were able to take root, effectively undermining the stability of the security forces. A second proximate cause was the intensification of partisan – and not necessarily democratic – political maneuvering in anticipation of the 2007 elections. Further, politics became increasingly personalized and significant divisions deepened between the President (and his supporters) and the FRETILIN leadership regarding the vision of national and democratic development in Timor-Leste. Against this backdrop, the events of April/May 2006 spiraled out of control and law and order collapsed in Dili. Although the security situation in other parts of the country did not deteriorate to the same extent, the ripple effects of the events in Dili were felt throughout the country.

When analyzing the current crisis, Timor-Leste's restive youth are also an important factor to consider.² Despite the depth of disillusionment and alienation, youth grievances were in fact not a primary cause of the current crisis. Rather, disaffected young people, especially Dili-based young males, have played two somewhat different roles in the current crisis. First, many youth engaged in the violence have very likely been utilized by political agitators and conflict entrepreneurs as a means for attacking their enemies, exacting revenge and/or intimidating people. Second, it also seems likely that the lawlessness that has prevailed in Dili has given opportunistic and disaffected youths the chance to loot and exact revenge in response to purely personal or group considerations. Nevertheless, despite the ubiquity of problems confronting youths, it is notable that the majority of young people have avoided becoming embroiled in the violence."

ICG, 10 October 2006, p. i

"The crisis is widely portrayed as stemming from the sacking of a third of the country's defence forces in March 2006, after which the disgruntled soldiers became part of a power struggle between President Xanana Gusmao and the now deposed prime minister, Mari Alkatiri. However, the problem is far more complex.

The roots lie partly in the battles and betrayals that occurred within the Revolutionary Front for the Liberation of East Timor (FRETILIN), just before and during the Indonesian occupation. Ideological and political disputes in the 1980s and 1990s, particularly between FRETILIN central committee members and Xanana Gusmao, then commander of the guerrilla army FALINTIL, carried over into the post-conflict government.

They are also to be found in the poorly implemented demobilisation of FALINTIL fighters in 2000 and the creation of a defence force for the new country in 2001 that absorbed some of the veterans but left others unemployed and resentful while donors and the UN devoted most of their attention to creation of a new police force. That many of the police, vetted and retrained, had worked for the Indonesian administration, was more salt in the wounds of the ex-fighters.

The old ideological splits and the frustrations of the ex-FALINTIL were manipulated in particular by Rogerio Lobato, a FRETILIN central committee member who had lived in Angola and Mozambique for the duration of the conflict. As interior minister, he controlled the police, encouraged rivalry with the defence force, most of whom were personally loyal to Xanana Gusmao, and created specialised police units that effectively became a private security force. The police under him were in charge of law and order, border patrol, riot control and immigration. It was never clear what the role of the defence force was.

All these problems had been festering for years. When 159 soldiers in January 2006 petitioned the president as supreme commander, alleging discrimination in the defence force by officers from the eastern part of the country (lorosae) against people from the west (loromonu), many interested parties saw political opportunity. More soldiers from the west joined the petitioners, while personal and institutional tensions between a president committed to pluralism and a ruling party with distinctly authoritarian tendencies, politicisation of the police, lack of any regulatory framework for the security forces more generally and the in-bred nature of a tiny political elite with 30 years' shared history allowed matters to spiral out of control."

OHCHR, 2 October 2006, p. 16

"18. The crisis that occurred in Timor-Leste between 28 April and 25 May can be explained largely by the frailty of State institutions and the weakness of the rule of law. However, this explanation can only be understood fully in the historical and cultural context of the country. Both the Portuguese and Indonesian eras created and subsumed internal divisions within Timor-Leste. Political competition within Timor-Leste has been historically settled through violence. Accordingly, many Timorese view the events of April and May 2006 as a continuum starting from the decolonization process in 1974/75 and encompassing the violence and factionalism of the Indonesian occupation and the violence that accompanied the United Nations-sponsored Popular Consultation in 1999."

AusAID, 15 September 2006, p. 3

"Land disputes arising from post conflict resettlement also seem to be a major source of ongoing violence, especially disputes over ownership of the former Indonesian civil service accommodation around Taci Tolu, Perumnas and Surik Mas. There's strong evidence that some of the current spate of house burnings and intimidation campaigns against easterners revolves around individual property disputes, where eastern families have often illegally occupied dwellings left vacant after 1999, and efforts are now being made to violently evict them. There's anecdotal evidence that gangs are being paid to enforce these evictions. However in some areas now effectively cleansed of easterners such as Perumnas, gangs are now merely turning on each other, so this explanation is not comprehensive."

Neupert, Ricardo & Lopes, Silvino, September 2006, p. 8

"The crisis has not yet being solved. There are many political disagreements but the main problem is that, contrary to what was anticipated because the strong foreign military and police presence, the street violence has continues mainly in the form of west and east gangs' fights, house burnings and frequent attacks to IDP camps. This violence occurs mainly in Dili, although some sporadic clashes have also taken place in other places of the country. As indicated above, bands are, on the one hand, Dili natives and also in-migrants form western districts of Timor-Leste; on the the other hand, Eastern gangs are formed mainly by migrants (or children of migrants) to Dili that came from the three most eastern districts of the country (Baucau, Lautem and Viqueque). As suggested above, the underlying cause of the enmity between the groups from the two regions is the perceived passive role of westerners in resisting the Indonesian occupation and in many instances actively supporting Indonesian interests.

It is important to mention that during Indonesia's occupation, many young Timor-Lesteese joined martial arts societies or groups as a way to defend themselves in the resistance activities. Since independence some of these groups have shifted toward crime, extortion operations, protection, gambling and smuggling rackets. There are strong suspicions of some of these groups' connections with certain individuals with well-known political ambitions."

Curtain, Richard, 2006, pp. 5-13

"According to a classic sociological study, there are six key stages in explaining the outburst of mob behaviour, with each stage adding to the effect of the preceding stages.³ The first necessary ingredient is structural conduciveness or the underlying factors that predispose people to mob outbursts. Added to this are the pressures that make the situation worse (structural strain). The third essential stage causing people to mobilise is the emergence of a generalised belief, which identifies a simple cause of the problems and frustrations. Fourth, precipitating factors such as localised protests then serve to spread the belief leading to the fifth stage where people mobilise on a large scale to act in an unorganised but collective way. The final stage, which determines the nature and extent of the collective outburst, is the effectiveness of the available social control mechanisms.

The strong underlying conditions conducive to social protest were present in the form of a rapidly worsening economic situation, particularly in Dili. The Government's increased assertion of centralised controls and lack of response to the worsening economy added greatly to the growing frustrations among Dili residents. The lead up to and the holding of the Fretilin National Congress as a precursor to national elections in the first half of 2007 created a political pressure cooker atmosphere, heightening fears about the behaviour of the government in how these elections would be managed.

The emergence in late March 2006 of a set of beliefs about regional differences served to identify a scapegoat for the widely perceived problems. Claims of threats and conspiracies by people from one region served to deflect angry people away from confronting an all powerful force by identifying a scapegoat – 'a person or people blamed or punished for things done by others'.⁴

The final factor that caused people to flee their homes was the failure of the police to keep civil order. However, the breakdown of the social order was also due to the failure of community leaders initially to halt the rumours undermining social trust and the subsequent spread of the belief that east-west differences were the cause of people's problems.

(...)

The final stage, which tipped the protests into mob violence, was the response of the police. These protests may have remained small-scale if the police had not overreacted to the burning of a vehicle outside the Prime Minister's Office on 28 April 2006 by firing on the crowd and shooting five of the protesters.

(...)

Failure of police command

The overreaction of the police and military to the protests outside the Prime Minister's office on Friday 28 April 2006 caused a small protest to spread rapidly in the following weeks. By 24 May 2006, security had collapsed so completely that Foreign Minister José Ramos-Horta went on Australian television, asking for troops 'to prevent the country sliding into further chaos'. The shooting of unarmed police on 26 May 2006 and the collapse of the police command resulted in a complete absence of social control, provoking widespread mob violence. The evidence presented on Four Corners on 19 June 2006 suggests that the actions of provocateurs also greatly contributed to this rapid escalation in violence.³²

Failure of community leaders

The failure of the police to keep civil order was undoubtedly the breaking point that caused people to flee their homes. However, the collapse of the social order was also due to the failure of community leaders initially to halt the rumours undermining social trust and the subsequent spread of the belief that east west differences were the cause of peoples' problems.

Why were the newly elected leaders in urban communities not able to step in and maintain social control by resolving localised conflicts where they initially emerged? As noted above, the national youth survey showed that where violent outbursts by young people did take place, this was often due to the failure of community leaders to resolve conflict in their areas.

Wholesale breakdown of social order

A key starting point for devising longer-term solutions to the current crisis needs to be an acknowledgement that there has been a wholesale breakdown of society in Dili. This was due not only to the failure of the police to maintain security. The widespread collapse of social trust has also been due to the failure of community leaders in Dili to maintain basic levels of social control. It is clear that local elected leaders failed to squash baseless rumours. Furthermore, they were unable to halt the spread of the false claims of east-west threats and conspiracies, which were used to justify attacks on neighbours.

The causes of the collapse of social control will differ between local communities within Dili. But an important factor is likely to have been weak leaders with little authority or personal capacity as mediators to resolve conflicts. Community leaders who have actively manipulated the situation to derive some political benefit may also have been a major cause of the collapse of the social trust in Dili."

"There are clear indications that opposition parties hijacked the protests to discredit and destabilize the government. One day before the riots, the government and the leader of the disgruntled soldiers had announced that an amicable solution to their complaints was imminent. In a sudden about-turn, the next day the soldiers demanded parliament's dissolution - eerily similar to the demands recently made by the fragmented political opposition. (Soldiers actually read previous opposition statements word-for-word calling for the government's resignation.)

East Timor's weak political opposition is understandably desperate. In last year's regional elections, which were certified as free and fair by the UN, opposition parties won just one region out of the total 31 they contested. And there is no compelling reason to believe that their prospects for the country's first ever parliamentary elections, to be held by mid-2007, will be any different.

The dominance by Fretilin (Frente Revolucionaria do Timor Leste Independente, or Revolutionary Front of Independent East Timor), with a 55-seat majority in the 88-seat parliament, has recently stirred political resentments. Fretilin Prime Minister Mari Alkatiri, an Arab Muslim, has taken on various powerful interest groups in Timorese society, chief among them the historically influential Catholic Church.

Alkatiri's decision last year to make religious education in schools optional rather than compulsory put the church and his government on a collision course. When asked to comment on the street protests staged last year by the church against the policy, Alkatiri famously replied, "Well, I'm not worried since I know I'm going to hell. Who cares?"

The Roman Catholic Church, which counts 90% of the population among its adherents, has said it will campaign directly against Alkatiri if he is nominated as Fretilin's prime-ministerial candidate during next year's elections.

Alkatiri, who spent 24 years in exile in Africa after the Indonesian invasion and occupation of East Timor in 1975, is widely viewed as a patriot. As prime minister, he has been praised for brokering a perceived fair deal with Australia over rights to contested oilfields in the Timor Sea. His refusal to accept loans from the World Bank, despite a gross domestic product per capita of a mere US\$400, stems from his personal experience in Africa, where many poor countries have become disastrously dependent on foreign aid.

Rival leaders

At the same time, Alkatiri's controversial leadership style has brought him into direct conflict with President and former rebel leader Xanana Gusmao, widely viewed as the father of East Timor's independence. The Alkatiri- Gusmao rivalry dates back to the country's first formative months after independence, when the two squabbled over drafting of a constitution.

At the time, Gusmao and other influential leaders, such as Nobel Peace Prize winner and current Foreign Minister Jose Ramos Horta, fought for the adoption of a presidential system. Alkatiri objected and leveraged Fretilin's superior numbers into the establishment of a parliamentary form of government. While largely a figurehead, Gusmao retains the power to veto legislation, dissolve parliament and call for national elections.

Gusmao has since openly supported the two main opposition parties, the Democrat Party and the Social Democrat Party, which hold seven and six seats in parliament respectively, against Fretilin. The political rivalry, somewhat dangerously, has seeped down into many government institutions, with the army and police both sharply divided between pro-Alkatiri and pro-Gusmao factions.

Factionalism, coupled with the more ethnically driven east-west regional rivalries, has made effective police response and coordination with the army almost impossible, as demonstrated by the inability to contain the recent riots.

Some analysts say that the Alkatiri-Gusmao rivalry, at least partially, explains the president's rather passive conduct during the recent riots. If Gusmao had chosen to intervene decisively, government insiders say, it's unlikely that the crisis would have spun out of control. Instead, the president stayed cloistered in his official residence, doing and saying nothing - to teach Alkatiri a lesson, some insiders contend. That some foreign diplomats took sides during the crisis also added fuel to the fire."

April-May unrest forces 150,000 people to flee their homes in Dili (2006)

Overview of the events leading up to the April/May violence

In February 2006, some 400 soldiers originating from the western districts of the country went on strike claiming that they were being discriminated against by their leadership originating predominantly from the east. In mid-March, the government, which had in the meantime set up a commission to look into the soldiers' allegations, dismissed the group of disgruntled soldiers when they refused to return to their posts. The group, known as the 'petitioners' now numbered close to 600 men, nearly half of the country's entire defense force, the FALINTIL-Forças de Defesa de Timor-Leste (F-FDTL). On 23 March, the president Xanana Gusmao, addressed the nation in a televised speech and sharply criticized the government's decision as "unjust" adding that discrimination did exist in the army and that this problem should be properly addressed if further divisions were to be avoided. The president's speech had an inflammatory effect on what appeared then as a relatively small and manageable intra-army crisis and in the following days, violence against easterners caused by some of the petitioners started in Dili. By 27 March, 17 homes had been destroyed and easterners had started fleeing the city (ICG, 10 October 2006, p. 8).

In the following weeks, the east-west divide would start coloring most events and actions in Dili in what now started to look like an attempt by a group of rebel soldiers, followed by large number of disaffected youth gangs and backed by unidentified interest groups, to secure a change of government by using the means of organized violence. On 28 April, a demonstration by the petitioners in Dili, joined by youth gangs and other sympathizers, deteriorated when a divided police force (PNTL) proved unable to contain the angry crowd. The ensuing violence resulted in the death of several civilians and the burning of nearly 100 houses, most belonging to easterners (OHCHR, 2 October 2006, p. 27). Faced with a disintegrating police force weakened by conflicting regional allegiances, the government decided to call on the F-FDTL to restore law and order. On 3 May, Major Alfredo Reinado, the commander of the military police deserted his post and with arms, ammunitions and a group of followers he joined the rebels. The Australian-trained major would become one of the main figures of the rebellion against the government, repeatedly calling for the prime minister's resignation, claiming his move to call in the army to control civilians was unconstitutional. Evidence would later point at a disturbingly close relationship between the president Gusmao and major Reinado, with the latter having made no secret of his allegiance to the then president (The Australian, 12 September 2006; Martinkus, John, 20 September 2006).

It was not until the end of May that the security situation really deteriorated with members of the F-FDTL and the PNTL confronting each other militarily and the east-west divide spreading into the wider population. The collapse of law and order in Dili created a vacuum allowing youth gangs armed with machetes, slingshots and arrows to rampage through Dili orchestrating a campaign of violence and intimidation mainly targeted at easterners and their properties. There is evidence to suggest that much of the violence finds its roots in unresolved land and property disputes created

by the 1999 large population movements which saw many returning easterners occupy land and houses left vacant by those who relocated to West Timor and only gradually returned in the following years (AusAID, 15 September 2006, p.3). As a result of the widespread looting and burning of houses and businesses, close to 5,000 houses were damaged or destroyed and more than 150,000 people, mainly easterners, fled their homes to seek refuge with families and friends or in makeshift shelters in and outside Dili (OCHA, 17 July 2007, p.7). While some fled the direct threats and violence, many left their homes in anticipation of the violence and amid rumors that weapons has been distributed to civilians (Engel, Rebecca, August 2006, p. 2).

USAID, November 2006, pp.13-14

"The immediate trigger of the crisis was the dismissal in March 2006 of 594 soldiers from the F-FDTL, a group known as the "petitioners". This group constituted approximately 40 percent of the F-FDTL. Most of the petitioners were from the west of the country and had gone on strike in January claiming mismanagement and discrimination by senior officers from the east.²² On April 24 the petitioners began four days of largely peaceful demonstrations in Dili. By April 28, on the unsanctioned fifth day of demonstrations, the scene turned violent, allegedly due to the involvement of unidentified youths and members of criminal gangs. For months many Timorese have strongly believed that agitators were responsible for the outbreak of violence, a view now corroborated by the Commission of Inquiry. However, another point that deserves attention is the fact that it was apparently relatively easy to incite fear to mobilize segments of the Timorese population, which is indicative of serious societal tensions well outside of the security sector context.

It was against this backdrop that the events of April/May 2006 spiraled out of control and law and order collapsed in Dili. While the security situation in other parts of the country did not deteriorate to the same extent, the ripple effects of the events in the capital were felt throughout the country. The breakdown of law and order in Dili resulted in approximately 37 casualties and up to 1,000 buildings destroyed.²³ During late April and into May an estimated 150,000 people were displaced as they fled from their homes due to the insecurity. A series of clashes between the Military and the Police followed, and on May 24, the President, Prime Minister, and Parliament together issued a request to Australia, Malaysia, New Zealand, and Portugal to send security forces to help restore order.

Meanwhile, frustration and discontent with the FRETILIN leadership had been building for years, both internally and externally, but had not found credible expression within the party. The increasing factionalization within FRETILIN demonstrated itself most visibly at the highly-charged FRETILIN Congress on May 17-19 and further complicated the vulnerability in the security sector. At the time of the Congress security forces were fractured and the city was reeling from violence and disorder. Increasingly vocal in their criticism of then Prime Minister Alkatiri's leadership and blaming him for the crisis, the nascent reform group within FRETILIN took the opportunity to mount a challenge to the party's leadership. Alkatiri's supporters voted to implement a change of procedure for party elections at that time, using a show of hands rather than a secret ballot. Since many of the delegates to the Congress were public servants, observers have suggested that the choice of open voting could be construed as a test of their support for Alkatiri and for FRETILIN's policies. The decision to use open voting garnered much criticism from some quarters, and an unsuccessful court challenge, but the result of the Congress was an endorsement of Alkatiri's leadership of FRETILIN.²⁴

On June 22, in a political standoff over Prime Minister Alkatiri's leadership and amidst allegations that he had a hand in distributing weapons to civilians to quell the opposition, President Gusmão threw his considerable popular weight into the ring and threatened to resign if Alkatiri did not step down. After a number of very tense days, on June 26 Alkatiri announced his resignation as Prime Minister. He stated his intention to accept his own share of responsibility for the crisis and to avoid the President's resignation. However, he maintained that the violence had been part of the plot to overthrow his Government in a coup d'etat. He also retained his position as Secretary General of the FRETILIN party.

Unfortunately, the change in government leadership did not end the violence, which is why it is important to understand that the motives, means and opportunities for violence may have changed over time. From its political underpinnings, the violence in Dili evolved from the initial exacting of vengeance against easterners, to the manifestation of social jealousies, to revenge attacks and then into petty juvenile criminality – none of which could be effectively controlled by the international forces alone. Following the conclusion of this assessment, a surge of violence in Dili erupted in late October. This time it took the form of gang warfare, which many suspect was politically motivated and deliberately fueled by drugs and alcohol. The incentives for violence are clearly not mutually exclusive and the combination has often made it very challenging to halt the cycle of violence, to accurately identify perpetrators and to anticipate events."

ICG, 10 October 2006, pp. 9-12

"Isolated violence took place around Dili on 26 April, with market stalls destroyed in one area and some houses vandalised in another. Some witnesses said the perpetrators wore military uniforms.⁴³ The next day, as more violence loomed, Xanana, Ramos Horta, and Alkatiri met and announced that a commission of notables would be set up to look into problems within the army. Taur Matan Ruak was still out of the country and did not take part. But by that time, internal problems within the defence force were no longer the real issue: it was the government's survival.

The last day of the demonstration, 28 April, was critical for everything that happened subsequently. Violence, started by some youths, erupted in front of the palace, killing two. One of Rogerio's special police units, the UIR, specialising in riot control, should have been in place – it had been created for precisely this kind of situation – but only one squad was deployed. The police seemed to melt away; the petitioners reportedly tried unsuccessfully to control the youths, then marched back toward their base at Tacitolu. As they moved through the Comoro area of Dili, fighting broke out.

With Taur Matan Ruak away, Alkatiri summoned Col. Lere, and asked the army's help in restoring order. This was one of the most controversial decisions of the crisis. Depending on whom one talks to, it was either a desperate effort to bring the city under control or a signal that Alkatiri had usurped control, deliberately waiting until Taur Matan Ruak was unavailable to make his move. In either case, it was done without consulting the president or declaring an emergency, so it was probably unconstitutional.⁴⁴ The results were disastrous.

F-FDTL troops with no experience in crowd control were deployed to quell unrest that whatever the other factors had a strong east versus west component, much of it attacks by loromonu youth against lorosae neighbourhoods. Because they were under Col. Lere, a target of the petitioners' discrimination allegation, the soldiers were assumed to be pro-lorosae and thus parties to the conflict. Whether or not they were, their apparently indiscriminate use of force exacerbated the east-west rift, emboldened loromonu attackers, and fuelled conspiracy theories. Soon there were rumours – almost certainly unfounded – of an F-FDTL massacre in Dili's Comoro neighbourhood, and thousands of lorosae sought refuge in churches and embassy compounds.

(...)

On 3 May, in protest over what he called the army's deliberate shooting of civilians, a new character appeared on the scene: Major Alfredo Alves Reinado, head of military police. Together with seventeen of his men and four members of the UIR, he deserted, the second major defection of the conflict. A few days later two more F-FDTL officers from the west, Major Tilman and Major Tara, followed suit. Alfredo went to Gleno, Ermera to see some of the petitioners, then set up camp in Aileu. He left the F-FDTL, he said, "because, on the day, on the 28th, it was easterners who shot westerners. I am witness to that. I do not want to be a part of the (army) that shot westerners".⁴⁷ In fact, he did not witness anything.

(...)

The official government version is that on 23 May Alfredo's group ambushed F-FDTL soldiers in Fatuahi, on the outskirts of Dili, killing one and wounding seven.⁵⁵

(...)

The shootout started a new round of violence. That evening, amid reports of large-scale police defections to the petitioners, armed police and civilians began gathering in Tibar, just west of Dili. Early on 24 May, this group, together with rebel soldiers, attacked from the hills above the armed forces headquarters in Tacitolu, killing an F-FDTL officer, Captain Domingos de Oliveira (Kaikeri), the logistics commander of the army training centre in Metinaro.

(...)

The immediate impact of the attack on the F-FDTL headquarters was to increase hostility between the defence force and the police, leading to disaster on 25 May. That morning, a group of F-FDTL soldiers, together with some police from a unit based in Baucau (eastern Timor-Leste) disarmed three policemen in Comoro, a particularly tense area of Dili. F-FDTL personnel exchanged shots with a police patrol car. Later that morning, youths joined several F-FDTL soldiers to torch a house belonging to a relative of Rogerio Lobato's. The house burned down with a mother and four children inside; all died. Then the house of Ismail Babo, the police commander involved in the Gleno incident, who, some suggest, was involved in the attack on armed forces headquarters, went up in flames.

(...)

As fighting spread around the city and police were nowhere to be seen, the first 100 of some 1,300 Australian soldiers landed in Dili. Xanana announced he was assuming control of security – on unclear constitutional grounds: Alkatiri questioned the legality of Xanana's actions but said he would cooperate. Later Xanana ordered Alkatiri to sack Rogerio Lobato and Defence Minister Roque Rodrigues. Malaysia, Portugal and New Zealand also dispatched troops that combined would eventually total 2,250.⁶³ The UN and diplomatic missions struggled to evacuate non-essential staff as gunfights erupted between police and military, and gangs of mostly loromonu, armed with machetes and "Ambonese arrows" (panah Ambon), a lethal form of slingshot, attacked lorosae neighbourhoods.⁶⁴

(...)

Fighting continued in the streets, and Dili residents sought shelter in church compounds, NGO offices and with friends and relatives outside the city. The UN estimated that more than 120,000 had fled their homes since April, and the numbers continued to rise.⁶⁶ On 30 May, thugs raided the prosecutor-general's office, strewing files around and making off with equipment and papers. Press reports focused on the fact that among the missing data were files from the Serious Crimes Unit on some of those indicted for the 1999 violence, including former Indonesian military commander Wiranto. There is no reason to believe, however, that the thugs made any distinction in what they wrecked or looted, and dark hints of Indonesian involvement have no basis."

OHCHR, 2 October 2006, p. 21;42

"33. The first signs of the current crisis emerged with the advent of the group now known as the petitioners and the subsequent manner in which F-FDTL managed their allegations of

discrimination within F-FDTL. A petition dated 9 January signed by 159 officers and other ranks of F-FDTL alleged mismanagement and discrimination within F-FDTL. The petitioners were drawn from almost every unit in the defence force. The petition, addressed to President Gusmão and copied to the Chief of the Defence Force and the Minister of Defence, was received by the President on 11 January 2006. As of 1 February no response had been received by the petitioners. On 3 February the petitioners abandoned their barracks, leaving their weapons behind. They gathered in Dili and sought an interview with the President on 7 February.

34. On 8 February 418 petitioners held a march at the Presidential Palácio das Cinzas. Brigadier General Taur Matan Ruak refused the request of President Gusmão to attend the march and instead sent F-FDTL Chief of Staff Colonel Lere Annan Timor. The Minister of Defence attended at the invitation of the President. President Gusmão ordered the petitioners to return to the F-FDTL training centre at Metinaro and to participate in a commission of investigation which would examine the allegations raised in the petition. On 10 February the Commission was established; it comprised F-FDTL officers and two Members of Parliament. The Commission conducted its activities from 12 to 17 February. The Commission failed to resolve the problems extant between the petitioners and the F-FDTL command. On 17 February the petitioners left their barracks after being granted leave. They elected not to return.

35. In mid-March Brigadier General Ruak announced the dismissal of 594 soldiers with retroactive effect as at 1 March. There is no evidence before the Commission of Inquiry that the dismissal was officially executed. The Commission notes that approximately 200 of the personnel dismissed were not petitioners, but officers and other ranks who had been chronically absent without leave in the months and years prior to March 2006. On 21 March the Prime Minister expressed his support for the decision. The dismissal was not accepted by the petitioners, who announced their intention to appeal the decision to President Gusmão.

36. On 23 March the President addressed the nation on the issue. He stated that the dismissal was within the competency of the Chief of the Defence Force, but also stated that the decision was unjust. In quoting the words of the petition, the President gave credence to the petitioners' claims

that the problems within F-FDTL were due primarily to discrimination by easterners against westerners. The Commission does not question the intention of the President, but most interlocutors have told the Commission that his speech was perceived as being more divisive than helpful and as fostering rather than resolving communal conflict. Between 25 and 31 March multiple disturbances in Dili assumed an east versus west dynamic as youths from both regions became embroiled in the petitioner issue. On 3 April the petitioners moved to the place known as the Carantina in Taci Tolu. On 17 April the petitioners commenced preparations for a five-day protest."

(...)

100. Significant loss of life, injury and widespread property damage resulted from the events of April and May as examined as part of the mandate of the Commission. At the conclusion of its inquiries, the Commission had information that up to 38 people were killed: 23 civilians, 12 PNTL officers and 3 F-FDTL soldiers. The Commission repeats that there is no evidence of a massacre of 60 people at Taci Tolu having taken place on 28/29 April. The Commission also has information that 69 people suffered injuries: 37 civilians, 23 PNTL officers, 7 F-FDTL soldiers and 2 UNPOL officers. The Commission notes that such figures are difficult to confirm and accepts that there may be discrepancies in the exact numbers.

101. Further, the events and incidents considered in this report had a devastating impact on the community at large. In addition to those killed or injured, approximately 150,000 persons were displaced (some 73,000 persons in IDP camps in and around Dili and a further 78,000 having moved to districts outside Dili). While displacement built up progressively after 28 April, the

largest increase in displacement occurred after the events of 25 May. The population of the IDP camps increased by 300 per cent in 24 hours. An estimated 1,650 houses were destroyed in the aftermath of events recounted here, with the majority occurring in late May and early June. The impact not only related to housing, but impeded men, women and children's enjoyment of a number of their economic and social rights, including to food, education, employment, and the highest attainable standard of health. According to UNICEF surveys, 15 per cent of children in the IDP camps needed immediate treatment for malnutrition; 57 per cent of respondents to a World Food Programme survey reported that they had ceased their primary income or livelihood activity. Shortages of food occurred both in camps and as a result of the pressure on extended family, who were hosting displaced persons outside Dili. In the case of the national medical hospital, access has been impeded by a perception that it is unsafe for western persons to go to the hospital. Freedom of movement has also been restricted. While there has been a well-coordinated humanitarian response, involving collaborative work between Government and the NGO community, and many persons have returned to their employment, the affects of the incidents remain evident in the continued displacement and associated problems."

Renewed violence lead to the displacement of up to 8,000 people in early 2007 (July 2007)

OCHA, 17 July 2007, p. 10

"To date, instability and low-intensity violence remain a constant feature in Dili, limiting IDP returns. The situation is complicated by an estimated 8,000 people who were displaced following a renewed round of violence in February 2007 (the first since the beginning of the initial crisis)."

UN News Service, 21 March 2007

"Although recent violence in Timor-Leste appears to be abating, the number of internally displaced persons (IDPs) in the capital, Dili, continues to rise, prompting the United Nations mission to the South-East Asian country to warn today of possible food shortages.

Some 37,000 IDPs are now living in Dili, an increase of 8,000 since January, UN spokesperson Michele Montas told journalists in New York, citing recent informal studies.

She said the UN Integrated Mission in Timor-Leste (UNMIT) is concerned that this sharp rise in IDP numbers could cause shortages of food, especially rice, which could then also exacerbate the IDP situation.

Thousands of people have fled their homes in recent months because of renewed violence both in Dili and outside the capital, although UNMIT reported that the past week had witnessed the fewest violent incidents of the last two months. UN Police stepped up patrols of Dili earlier this year in response to the violence."

OCHA, 17 March 2007

"The security situation remains volatile and it is likely that spikes of violence will continue to occur with a potential to increase before the elections. The unresolved situation of fugitive Alfredo

Reinaldo as well as continued rice shortage could cause protection and security concerns. The fault lines and motivations for violent demonstrations or fights seem to be changing. While as of November the East–West divide that had caused mass displacement last year seemed to lose importance and martial arts gang fights dominated, the recent violence seems to have united members of rivaling martial arts groups."

Kammen & Hayati, March 2007, p. 1

"Ten months after rioting, the distribution of weapons to civilians and armed clashes between the military and police plunged East Timor into political crisis, the situation in Dili has taken on a dire new face. In mid-February, rice shortages triggered a new wave of violence. In search of rice, angry Dili residents attempted to break into government warehouses – in one case looting 700 tons of rice. International peacekeeping forces sent to Timor in last May in response to the onset of the political crisis took to the streets to restore order. Over the course of three days, fifty UN vehicles were stoned, as too were countless more government vehicles. With no rice to be found for sale, anger grew. In late February the government initiated the sale of rice supplied by the World Food Program in Dili and announced that the program would be extended to the rest of the country.

Several days later, however, the already tense situation was exacerbated by a botched military operation ordered by President Gusmão to capture the former Commander of the Military Police, Alfredo Reinado. At the outset of the crisis in mid-2006 Reinado defected from the East Timor Defense Force and was involved in a shoot-out with the military. He was later arrested, then escaped from prison and for months has been at large in the mountains. Several days after the government rice program was initiated Reinado attacked a police station near the Indonesian border, stealing 25 automatic weapons. (He claims that the police gave him the weapons.) President Gusmão then issued a deadline for Reinado to surrender and ordered the international security force to surround Reinado's hide-out in the town of Same, in the mountains south of Dili. When the deadline passed, the Australian-led force attacked, killing four of Reinado's followers, but Reinado escaped unharmed.

The combination of rice shortages and the ill-timed military operation have triggered a new round of violence in Dili. While international attention is focused on Alfredo Reinado and youth burning tires on the streets of the capitol, the food crisis continues."

UN News Service, 1 March 2007

"More than 5,000 additional Timorese have fled to internally displaced persons (IDPs) camps over the past month or so because of the recent violence in the capital Dili, although this is now under control as more United Nations police are patrolling the streets, top UN officials said today.

(...)

The head of UN humanitarian assistance in Timor-Leste, and the Deputy Special Representative of the Secretary-General, Finn Reske-Nielsen, said most of the 5,000 or so people who fled to the IDP camps arrived last week because of the disturbances, adding that four new camps had been set up.

(...)

Reiterating that rice shortages were a contributing factor to last week's violence, Mr. Reske-Nielsen said the Government, supported by the World Food Programme (WFP) and the International Organization for Migration (IOM), were continuing the sale of rice that was begun last Friday."

OCHA, 23 February 2007

"In this context there has been an escalation of violence in Dili in the last two weeks, exacerbated by inter-gang rivalry. There are increased reports of incidences of assault, group fighting, gun shots, illegal check-points, arson, public disturbance and property damage including a tendency to target particularly UN and Government vehicles. In two weeks the security incidences increased from 95 to 113, with several houses set ablaze and some reported deaths, mainly in Dili. Bairo Pite, Fatuhada, Santa Cruz/Taibessi and Kampung Baru are the places with higher incidences of violence. In the districts incidents were reported in Liquica (2 houses burnt), Ermera (one person killed and two injured) and Baucau (one person injured).

As a result of the security incidents, at least 5,000 people have been displaced to new locations or to existing camps since January 2007, leading to significant overcrowding of camps and straining particularly the water and sanitation services."

Announcement of the composition of the new government triggers new round of violence and displacement (August 2007)

- On 6 August 2007, following the announcement of the formation of the new government, civil unrest accompanied by acts of violence, looting and burning of houses started outside of Dili, mainly affecting eastern districts.
- As a result of the unrest, an estimated 400 houses were destroyed or damaged and at least 5,000 people displaced, mainly in Baucau and Viqueque districts.
-

Population displacement caused by civil unrest related to the announcement of the new government (14 August 2007)

Source: OCHA, 14 August 2007

Trocaire, 21 August 2007

"The most recent wave of violence began on August 6th following the announcement of the formation of a new Government after national Parliamentary elections held on 30th June. The violence partly stems from ambiguity over the interpretation of the Constitution dealing with the formation of Government.

While Dili has been calm, tensions have risen outside of the capital. Of the 13 districts (similar to Irish counties) in Timor Leste, five are currently experiencing disturbances. According to an initial assessment carried out by a team from the Governments Ministry of Social Solidarity, in the past

two weeks 323 houses have been reported burnt, 53 damaged and at least 5,000 persons are reported to have left their homes in the eastern towns of Viqueque and Baucau districts."

OCHA, 13 August 2007

"1. Civil unrest has been occurring in connection with the announcement of the new government on the 6th of August 2007 following the 30th of June parliamentary elections.

2. Viqueque and Baucau districts are most affected, while some incidents have also occurred in Dili, Manufahi, and Oecussi districts. The overall security situation in Timor-Leste during the last 24 hours has remained tense, particularly in Viqueque and Baucau districts, although there were no reports of major security incidents. United Nations Police Officers (UNPol) in conjunction with the national police of Timor-Leste (PNTL) and the International Stabilisation Force (ISF) remain fully deployed.

3. In Viqueque, around 270 houses have been burnt by violent groups since 6 August. Several villages have been severely damaged in Watulari sub-district, while villages around Viqueque town have also been affected. The functioning of public transport and schools has been disrupted and food, water and medical supplies are becoming short on the market. Road travel within and between the districts of Baucau and Viqueque remains restricted at the moment due to security concerns especially after the ambush on a UN convoy on 10 August.

4. In Baucau district, 53 houses have been destroyed this week in Venilale and Quelicai subdistricts. On 6 and 7 August, government, church, UN, and NGO facilities in Baucau district had been burnt or attacked. The functioning of schools, public transport, and markets have been disrupted. On 10 August, an orphanage in Baguia was reportedly attacked, a girl raped, and the orphanage and a primary school building damaged. A 16-year-old boy was arrested. 34 arrests have been made during the last two days for public disturbances, arson, illegal road blocking, and possession of illegal weapons.

HUMANITARIAN CONSEQUENCES

5. At least 4,000 persons are reportedly displaced at the moment in Viqueque and Baucau districts. The displaced persons stay in the mountains around the affected areas, and in convents, schools and compounds that are considered safe. 323 houses have been reported burnt so far and 52 damaged in Viqueque and Baucau districts."

Austcare, 11 August 2007

"Tension and unease continues in East Timor with some fresh outbreaks of violence following the announcement of the new Timor-Leste National Government on 6 August 2007. At this time where the people and Government of Timor-Leste are engaged in building democracy in the world's newest nation, such tension was expected, and we urge Australians to respond. See Austcare's Media Release [here](#).

While the security situation remained relatively calm in Dilli over the first week, it was more volatile in the East. The UN Police confirmed on 10 August that 142 houses had been torched in Viqueque and Baucau districts since disturbances began. Other reports suggested up to 600 homes destroyed. On 10 August in Viqueque there were numerous cases of arson, fighting, stone throwing, and illegal road blocks, particularly in Watolari. In Baucau, there were also several cases of arson and stone throwing.

The situation has caused people in Viqueque and Baucau to flee for safety, some even leaving internally displaced persons (IDP) camps. People are on the move. Many have fled to the mountains, others to Dili, some under UN escort. Government buildings or organisations deemed to be in close association with the new government have been targeted; schools, churches and Government buildings have been attacked and destroyed. The lack of secure options for displaced women, children and men is pressing."

Other causes of displacement

Timor-leste is highly vulnerable to natural disasters (July 2007)

- Timor-Leste is a highly disaster-prone country. Disasters include including flooding, earthquakes, landslides, cyclones, tsunamis and drought.
- During 2007, drought and severe floods and landslides caused food shortages, infrastructure damage as well as displacement .

IFRC, 26 July 2007

"The country has also faced drought in February-March this year and food scarcity throughout the country. Despite these difficulties, Timor-Leste successfully completed its presidential election and parliamentary election in June and July respectively. The process of instituting a new government is underway.

Timor-Leste experiences its heaviest rains during June and July each year. However, this year, the downpours have been more severe than usual, leading to flooding and land slides. This has led to at least one death, destroyed infrastructure, damaged livelihoods and made many people homeless. Overall, 243 families in six districts have been badly affected."

UNICEF, 21 March 2007

"In addition to these challenges, Timor-Leste is prone to natural disasters, especially floods and landslides during the rainy season, which starts around November every year. This year, the delayed rainy season yielded in low rainfall in some areas of the country resulting in pockets of droughts, which will exacerbate the food insecurity throughout the country."

OCHA, 16 January 2007, p. 13

"Timor-Leste is vulnerable to natural disasters and other emergencies including flooding, earthquakes, landslides, cyclones, tsunamis and drought. During January- February 2006, a powerful storm heavily affected the districts of Ainaro, Viqueque, Baucau, Ermera and Oecusse, where many farmers lost their standing crops, roofs of houses and schools were destroyed, and water supply sources damaged. Small-scale earthquakes are also frequent. The National Disaster Management Office (NDMO), based in the Ministry of the Interior, is working in close coordination with the MTRC and the humanitarian partners to finalise and verify the effectiveness of the National Contingency Plan for Flooding.

An Emergency Coordination Group has been established by MTRC / NDMO to oversee disaster response, incorporating key ministries, humanitarian organisations, UNPol, PNTL and F-FDTL. A Contingency Plan for drought / food shortages, earthquake / tsunami and conflict is also envisaged to be prepared by the NDMO with the technical support of humanitarian coordination partners. The Plan will also include a massive public information campaign throughout the country, to reduce the number of possible victims in case of emergency. UN Agencies, NGOs, IFRC and the Timorese Red Cross will provide the necessary support."

POPULATION FIGURES AND PROFILE

Global Figures

An estimated 100,000 people remain displaced (August 2007)

- As of July 2007, OCHA estimated the number of IDPs to stand at 100,000 , the majority sheltered with friends and relatives in the districts. It should be noted that official IDP figures have since May 2006 been incomplete due to the absence of registration and distorted upwards by IDP-targeted food policies.
- During 2007, two separate rounds of violence in February and in August, displaced up to 8,000 and 4,000 people respectively.
- Between 150,000 and 178,000 people were forced from their homes since in April-May 2006.
- Some 70,000 IDPs took shelter located in the capital Dili itself, while more than 100,000 people fled to the various districts of the country.

HOW MANY ARE CURRENTLY DISPLACED?

It is estimated that between 150,000 and 178,000 people were displaced by the violent events of April and May 2006. During 2007, fresh rounds of violence displaced at least 12,000 people. In February 2007, 8,000 were displaced mainly in Dili as a consequence of rice shortage-linked violence. In early August 2007, an estimated 4,000 people were displaced by violence linked to the announcement of the new government. As of July 2007, OCHA estimated that 100,000 remained displaced. In June 2007, ICG estimated that up to 60,000 people lived in camps in Dili and in the districts.

Due to the absence of an initial registration, constant movements to and from the camps and a food distribution policy that covered all IDPs but not the rest of the population (and which inflated IDP figures), it is impossible to know the exact number of people currently displaced. Given the poor food security situation in the country, it is likely that many people registered as IDPs to receive the food assistance.

SOURCES:

OCHA, 13 August 2007

"1. Civil unrest has been occurring in connection with the announcement of the new government on the 6th of August 2007 following the 30th of June parliamentary elections.

(...)

5. At least 4,000 persons are reportedly displaced at the moment in Viqueque and Baucau districts. The displaced persons stay in the mountains around the affected areas, and in convents, schools and compounds that are considered safe. 323 houses have been reported burnt so far and 52 damaged in Viqueque and Baucau districts."

OCHA, 17 July 2007, pp.1-10

"The humanitarian situation in Timor-Leste remains complex and multi-dimensional. The challenges posed by the prolonged IDP crisis – which has now lasted over one year – represent the most critical and visible part of much deeper issues at stake for Timor-Leste. 100,000 people,

a significant portion of the population, remain displaced, burdening the already precarious living conditions of host families in Dili and the Districts.

(...)

Accurate IDP figures remain very difficult to obtain. The problem has been compounded by the constant movement of people between Dili and the Districts, ongoing insecurity in the camps and among communities, (in Dili and the Districts), and the inter-linkages between IDP groups and wider vulnerable populations, which makes differentiation more problematic. However, until a comprehensive registration and verification process can be agreed and implemented, current planning figures are based on the assumption that over 100,000 people remain displaced in the country (with a minimum of 30,000 in Dili).

(...)

To date, instability and low-intensity violence remain a constant feature in Dili, limiting IDP returns. The situation is complicated by an estimated 8,000 people who were displaced following a renewed round of violence in February 2007 (the first since the beginning of the initial crisis).

(...)

Corroborating the total number of IDPs is difficult due to the fluidity of the situation, which itself reflects a wider, volatile condition. While on the one hand four new camps have opened in Dili over the past months, with increased populations at Cathedral and Fatumeta camps, the MTRC also reports constant departures. The camps were established spontaneously and conditions have steadily deteriorated as the crisis has endured. The camps are likely to remain in existence for at least the next six months and provision of basic services, camp management, protection activities and replacement/upgrading of shelter and utility infrastructure including Watsan are desperately needed."

ICG, 13 June 2007, p.8

"Several issues which should be up for debate are not. The continuing presence of over 60,000 IDPs in camps in Dili, Metinaro and Baucau was not a major topic in the presidential campaigns and is not likely to have any greater prominence this time. All parties agree they must go home but none seem to have concrete plans for helping them do so, either by building new homes or reducing the threat against those afraid to return. ASDT/PSD, CNRT and the PD accuse FRETILIN of lack of political will to address the problem and simply assert that all the displaced will go home within six months of a new government taking office."

OCHA, 14 March 2007, p.1

"It is assumed that around 100,000 persons remain displaced, out of which around 70% stay mostly with host families in the districts, and around 30% in IDP camps in Dili. The high mobility of the displaced populations complicates the establishment of exact baseline data. Around 5,000 persons have been newly displaced during January due to violence and arson mainly in Bairo Pite, Dili."

Kammen, Douglas & Hayati, S.W., March 2007, p. 2

"Under the coordination of the Ministry of Labor and Community Reinsertion (MLCR), the United Nations World Food Program together with international NGOs given responsibility for individual camps initiated a massive program to supply rice and other basic foods to registered refugees. By August, MLCR announced that there were 168,000 internally displaced persons (IDPs), half in Dili and half having fled to their home areas. Charges soon surfaced that the number of IDPs was inflated, in part because IDPs were double and even triple registering, in part too because people who had not been displaced had managed to register. Additionally accusations emerged that humanitarian assistance was a major reason people refused to return to their homes."

OCHA, 16 January 2007, pp. 7-10

"An estimated 10% of the population remain displaced throughout Timor-Leste. Approximately 150,000 people were displaced at the height of the crisis in April and May 2006, and current government estimates indicate that 29,000 people are still living in camps in Dili and more than 70,000 are with host families in the districts.

(..)

The accuracy of IDP figures is highly questionable. Formal registration of IDPs has been prevented by the resistance of camp leaders to providing information, and by direct threats against humanitarian staff attempting to conduct registrations. The best available figures are based on food distribution data and information provided by Government entities."

OHCHR, 2 October 2006, p.42

"In addition to those killed or injured, approximately 150,000 persons were displaced (some 73,000 persons in IDP camps in and around Dili and a further 78,000 having moved to districts outside Dili). While displacement built up progressively after 28 April, the largest increase in displacement occurred after the events of 25 May. The population of the IDP camps increased by 300 per cent in 24 hours."

WHERE ARE THE DISPLACED LOCATED?

Initially, approximately 70,000 IDPs took refuge within the capital -Dili while an additional 80,000 people fled the capital to seek refuge in the districts (see map). As of July 2007, it was estimated that 30,000 remained displaced in Dili while 70,000 people were displaced in the districts. The estimated 4,000 people displaced in early August due to the civil unrest related to the announcement of the new government are mainly located in Baucau and Viqueque district (see map).

SOURCES:

UNSC, 1 February 2007, p. 16

"In June 2006, internally displaced persons were almost evenly distributed between Dili and the districts, but since then there has been a shift from Dili to the districts, with an estimated 29,000 persons remaining in camps in Dili and the rest staying with host families in the districts and in internally displaced persons' camps in Baucau."

A. IDPs IN DILI

OCHA, 16 January 2007, p. 10

"The displaced populations are concentrated mainly at locations in Dili such as the airport, the national hospital, the seaport, the UN compound, Government buildings and churches. In June 2006 the Government put the number of IDPs at 150,000, with 50% at 56 camps in Dili. As of December 2006, the Government estimates that, although a number of families have moved to the districts or returned home, 29,000 IDPs remain in Dili and a further 70,000 within small camps

and host communities in the districts. Other sources estimate that the current number of IDPs in Dili camps is closer to 35,000 people and food distribution figures are even higher."

OCHA, 23 February 2007

"In addition, following recent security incidents since January 2007, particularly during the last two weeks, 5,000 people have sought refuge in existing camps as well as in four new locations as follows (see attached map):

UIR - 655 persons (106 families)
RTK – 291 persons (48 families)
Cathedral - 882 persons
Tuana Laran – 29 persons
Bairo Pite Clinic – 62 persons (14 families)"

IDPs in Dili camps (May 2007)

B. IDPs IN THE DISTRICTS

As shown in the table below, during 2006 Baucau district registered the largest population increase due to the influx of IDPs, followed by Viqueque and Liquica districts.

FAO/WFP, 21 June 2007, p. 8

"As shown in Table 1 below, population is steadily increasing, at an annual rate of around 3 percent. To be noted is the specific situation of Dili, which registers a substantial loss due to the high number of IDPs leaving it, while Baucau is on the contrary receiving a very substantial influx of IDPs, hence a sharp rise of 35 percent of its population."

Estimated IDPs in the Districts (December 2006)

Source: Timor-Leste government, December 2006

In early August 2007, an estimated 4,000 people were displaced by violence linked to the announcement of the new government.

Population displacement caused by civil unrest related to the announcement of the new government (14 August 2007)

Source: OCHA, 14 August 2007

The displaced are mainly from the east (August 2007)

ISN, 7 August 2007

"The violent reaction to Ramos-Horta's announcement is deeply disturbing, albeit unsurprising, given the political and security stand-off since April 2006, when 100,000 people were displaced and almost half the army - mainly from the western part of East Timor - was sacked after it protested against alleged bias in favor of easterners.

This east-west divide later transferred to Dili's streets, permeating much of the ensuing violence, with army easterners firing on westerners from the police and accusing them of siding with the westerner army rebels, all leading to civilian reprisals.

Easterners comprise most of the 100,000 people who remain displaced since then, and FRETILIN draws most of its support from this region."

Engel, Rebecca, April 2007, p.1

"Ema Lorosae (people from the east), have borne the brunt of the suffering in the last year, as more than one hundred thousand men, women, and children were driven from their homes by youth gangs closely aligned with political elements operating in the country."

USDOS, 8 March 2007, c

"While all groups and levels of society were represented in the IDP population, humanitarian workers observed a greater proportion of easterners. By year's end a large number of IDPs had left the camps. Many returned to their homes, but many others lacking this option moved into houses with relatives, or in many cases returned to their home districts. It was not known to what extent the recent unrest resulted in a permanent reallocation of the population throughout the country. At year's end an estimated 25,000 IDPs remained in camps in Dili and as many as 70,000 remained displaced in the districts."

The Japan Times, 25 February 2007

"By June, amid the gathering chaos, roaming gangs had torched and looted their way around most of Dili and driven many easterners out of their homes into the refugee camps where many still remain."

ICG, 10 October 2006, p. 16

"Dili remained highly polarised and physically segregated, with makeshift camps for the displaced, most of them lorosae, dotted around the city. One of the main markets divided into two, one for loromonu, one for lorosae."

WFP, 30 June 2006, p.12

"There are usually three large markets in Dili: two remain closed and one is operational but at a much reduced size. The majority of shops are still closed as many of them were owned by Indonesians who have left the country. Also, traditionally, shop owners in Dili are from Baucau district in the east, and these are mainly the shops that have been looted and torched. An estimated 25,000 people have fled to Baucau of which some are shop owners.

Disaggregated data

80 per cent of the population are subsistence farmers (June 2006)

- According to a study by FAO/WFP, most people in Timor-Leste belong to various types of subsistence farmers. Between 40-45 per cent are just 'ordinary farmers' and are the most vulnerable as they are completely dependent on the crops to survive.
- In Dili, the majority of people are wage earners or petty traders and ordinary farmers only represent 12 per cent..

FAO/WFP, 21 June 2007, p.

"The livelihood groups found in Timor-Leste are mainly a variety of different types of subsistence farmers. Of the most vulnerable to shocks are the subsistence farmers who do not engage in other activities (ordinary farmers). This group makes up for 40-45 percent of the population⁴. The other livelihood groups are presented in Figure 1.

WFP, 30 June 2006, p. 9

"43% of all Timorese are under 15 years of age and 16.3% are under five. In Timor Leste as a whole, 80% of the population are subsistence farmers and like in many other countries the capital is not representative of the whole population as the population of Dili is dependent on either the formal and/or informal economy.

The households in Dili fall into the following livelihood categories (table 3), based on CFSVA results:

Before the civil unrest, Dili district had the highest food security score (food access score combined with food consumption score) of any district in the country, and the highest percentage of food secure households (49%). Twenty-two percent (22%) are considered moderately vulnerable, and food insecure households (14%) or highly vulnerable households (15%) were the lowest in the country.

Significant changes in the average number of IDP household members following displacement (June 2006)

- A WFP study conducted in the wake of the April/May unrest showed a change in the household structure following after displacement.

- Nearly one-quarter of the displaced report having to host more people.
- Nearly 10 per cent of the non-displaced families report having lost one family member as a result of the conflict.

WFP, 30 June 2006, p. 11

"The average number of household members in the Dili area according to the CFSVA is seven. 47% of those in sites and 30% of those in Aldeias reported that there has been a change in their household structure after 28 April (figure 3). Among the households that report a change, the difference is in both directions, without a large difference between sites and Aldeias. Noteworthy is that as many as 9% of all families in the Aldeias have lost one or more family members as a result of the conflict."

PATTERNS OF DISPLACEMENT

General

People displaced in August 2007 are staying with host families or have fled to the mountains (August 2007)

- Most people displaced in the eastern districts of Baucau and Viqueque as a result of the unrest which followed the announcement of the new government in early August 2007 sought refuge in the mountains or in public buildings such as schools or churches.
- OCHA reports that the whereabouts of the displaced people are for the most part unaccounted for.
- The sub-district of Waturali in Viqueque is the most affected with 5 sucos out of 6, totaling a population of 17,250 people affected by the crisis.

Population displacement caused by civil unrest related to the announcement of the new government (14 August 2007)

Source: OCHA, 14 August 2007

OCHA, 21 August 2007

"5. At least 4,000 persons are reportedly displaced at the moment in Viqueque and Baucau districts. The displaced are remaining in the mountains around the affected areas, and in convents, schools and compounds that are considered safe. In total 323 houses have been reported burnt and 52 damaged in Viqueque and Baucau districts.

(...)

10. Significant parts of the displaced population are reportedly scattered in forests and mountain areas, to which access is difficult. In order to gain access to these populations and provide assistance, an inter-agency assessment mission with United Nations helicopters to Waturali and Uatucarbau was scheduled to take place on Saturday, 18 August 2007. As heavy rains had made the roads in the area impassable, the assessment mission had to be rescheduled to Thursday, 23 August."

Trocaire, 21 August 2007

"While Dili has been calm, tensions have risen outside of the capital. Of the 13 districts (similar to Irish counties) in Timor Leste, five are currently experiencing disturbances. According to an initial assessment carried out by a team from the Government's Ministry of Social Solidarity, in the past two weeks 323 houses have been reported burnt, 53 damaged and at least 5,000 persons are reported to have left their homes in the eastern towns of Viqueque and Baucau districts.

There is a growing humanitarian concern for the 5,000 people including young children, pregnant women and elderly who have fled their homes. Some are now living in already overcrowded extended family homes while others have left for the safety of the mountains or are using trees for

shelter. In the turmoil, public transport and schools have been disrupted and food, water and medical supplies shortages are emerging in the affected eastern districts of the country."

OCHA, 17 August 2007

"In Viqueque and Baucau more than 323 houses have reportedly been destroyed by violent groups, especially in the sub-district of Watulari in Viqueque. In the area around Venilale and in the Uatolari sub-district more than 4000 people are supposed to have been displaced. The whereabouts of the displaced are for the most parts unaccounted for, while unconfirmed reports tells of large groups of people seeking refuge in the mountains in the area."

NDMO & MSS, 13 August 2007

"Information is coming from a range of sources, UNPoI, PNTL, People on the ground, NGOs, UN and the first Secretary of State for Social Security (formerly MTRC) mission that went to Viqueque on Sunday the 12th of August. There are a number of gaps, but what can be concluded so far is;

The most affected sub district is Watulari in Viqueque .Of its 6 sucos, 5, with a total population of 17,250 people are affected (Afaloicai, Babulo, Macadique, Matahoi, Uatame).

The bulk of the displaced from Watulari Subdistrict fled to Babulo mountains. The numbers are yet to be confirmed.

Afaloicai has the highest number of burnt houses to date, 112

A number of IDP gatherings have been reported in Viqueque District(see table 2 below)

1000 people fled from 5 of the 8 sucos in Venilale subdistrict in Baucau to the bush surrounding Vanilale town. A total of 50 houses were reported burnt. Uataco and Uailaha suffered the most damage.

Majority of the 5,000 people displaced in February 2007 went to existing camps and 4 new locations (February 2007)

- Most people newly displaced in February 2007 sought shelter in existing IDP camps in Dili as well as in 4 new locations.

OCHA, 23 February 2007

"In addition, following recent security incidents since January 2007, particularly during the last two weeks, 5,000 people have sought refuge in existing camps as well as in four new locations as follows (see attached map):

UIR - 655 persons (106 families)

RTK – 291 persons (48 families)

Cathedral - 882 persons

Tuana Laran – 29 persons

Bairo Pite Clinic – 62 persons (14 families)"

Need for a gradual transition from IDP camps to transitional shelter camps (July 2007)

- New strategy acknowledges that displacement is likely to persist into 2008 and requires efforts to improve conditions in the existing camps.

- The upgrading of camps will be complemented by a continuation of the strategy to relocate people in transitional camps.
-

OCHA, 17 July 2007, p. 18

"The Government and the wider humanitarian community have officially acknowledged that the displacement situation is likely to persist into 2008 and agreed that efforts should be made to improve conditions in the camps. The likely prolongation of people's displacement and the uncertain political and security environment will mean the Government will continue to require assistance in facilitating exchanges of communication between IDPs and communities. Camp management agencies also play a fundamental role in identifying and managing potential conflict factors within camps, and between camps and host communities which could have wider political and security consequences. The focus of the sector for the next six months will be to review the camp management response of the Site Liaison Support (SLS) system, and to assist the Government in developing a strategy to strengthen the management roles of Government and local camp managers. International camp management agencies need to define exit strategies, with the Government increasingly assuming camp management responsibilities. The sector strategy therefore foresees that discussions and planning aimed at a gradual transition will take place once the new Government is formed. Any planning to that end will be done within a realistic framework of existing Government capacity, and, importantly, the impact of the transition on the IDP population.

Over the next six months a concerted inter-agency approach is needed for implementation of significant upgrades to camps. The planned relocation of IDPs to transitional shelter sites will require close support and follow-up by camp management agencies to ensure that IDPs are able to make informed decisions about movement to upgraded shelter arrangements. Furthermore, camp management agencies must continue to fill gaps in service delivery for general camp maintenance and upkeep, such as the provision of lighting, maintenance of Watsan installations, as well as fencing.

Sizable fluctuations in the number, composition and movement patterns of IDPs are expected over the next 18 months. Periodic gang violence and political uncertainty in the post-Parliamentary election period could lead to additional displacement. Camp numbers routinely fluctuate as persons displaced from Dili to the districts use Dili camps as a stepping stone for return to Dili. The delayed reconstruction of over 5,000 houses, the unwillingness of several communities to accept returns, and the perception of insecurity by IDPs are all factors presenting obstacles to return. Strong in-camp support by camp management agencies is thus essential to ensure that the safety and dignity of the IDP population is maintained while durable solutions are sought.

Camp management agencies will also continue to play a pivotal role in assisting IDPs to take informed decisions about their return and reintegration options. As has been the case during the past six months, agencies will continue to encourage dialogue and discussions between IDPs and members of their former communities. This will be done through facilitation of visits to the communities, support for dialogue between local and IDP leaders, youth, and sporting activities that encourage positive interaction between IDPs and their communities."

IOM, 28 February 2007, p.1

"At the beginning of the crisis in April/May 2006 many displaced families were accommodated in religious institutions, schools or stand alone camps. Many displaced families are unable to return

to their places of origin for a variety of reasons e.g: increased security incidences; either their homes are damaged or burnt; and furthermore present camps are also the target of several security problems and the viability of managing these camps in their current location are no longer sustainable. Therefore, the Government is pursuing several options one of which is the relocation of displaced families to transitional shelters as an interim measure while seeking durable solutions for the displaced population. To this end the assessment was carried out.

The objective of the transitional shelter sites is that at the end of the emergency assistance phase, shelter will need to be addressed in a more sustainable way. The sites will thus be used for the purposes of accommodating IDPs who will be relocated from various camps in Dili."

Most people displaced by the April/May 2006 unrest in Dili sought refuge in spontaneous camps (July 2007)

OCHA, 17 July 2007, pp. 31-32

"The majority of IDPs displaced to Dili by the crisis found refuge in church or Government compounds, which were not designed for sheltering large numbers of people. While IDP numbers have reduced substantially over the past year, continued insecurity within Dili has meant that large numbers of people are still residing in these spontaneous camps, with even more living outside the camps in makeshift arrangements in or on property belonging to others. The camp-based IDPs are living primarily in tents, often in crowded and sub-standard conditions due to site constraints. Current data indicates that over 75% have had their homes damaged or destroyed and will be unable to leave the camps without additional housing assistance."

IDPs in Dili camps (May 2007)

Almost all people displaced to the districts are staying with host families (January 2007)

OCHA, 16 January 2007, pp. 10-16

"UN agencies, NGOs and the Timorese Red Cross conducted a multi-sector rapid joint assessment of IDPs in the districts in June 2006. The assessment revealed that 96% of IDPs in the districts were living with host families and that the main concern was food security due to the sudden increase in the population.

PHYSICAL SECURITY & FREEDOM OF MOVEMENT

Physical security

Long term displacement exposes IDPs and in particular children to a variety of increased risks (July 2007)

- The extended stay in camps has led to an increase of incidences of incest, domestic violence and sexual harassment in some IDP camps.
- There is currently a lack of comprehensive IDP protection monitoring both in camps and in the districts.
- In February 2007, OCHA reported an increase of incidences of incest, domestic violence and sexual harassment in IDP camps, in particular Jardim, Tibar, Metinaro and Baucau.

OCHA, 17 July 2007, p. 10

"The camps were established spontaneously and conditions have steadily deteriorated as the crisis has endured. The camps are likely to remain in existence for at least the next six months and provision of basic services, camp management, protection activities and replacement/upgrading of shelter and utility infrastructure including Watsan are desperately needed.

As the IDP situation is prolonged there is a need for more effective and comprehensive protection monitoring, both in the camps and in the districts. There is a need for improved field-based protection capacity, with improved data collection relating to general IDP intent, where/why IDPs are relocating, in what numbers and what specific conditions they face, child protection activities, protection against Sexual and Gender-Based Violence (SGBV) and provision of medical and psycho-social support. For future planning, it is clear that assistance activities should support and facilitate efforts to address protection concerns in the context of achieving durable solutions. In the broader context, protection needs to include a wide-ranging number of actors. It should build upon the existing capacity of local/district authorities with the understanding that prioritisation of humanitarian assistance (shelter, food, water/sanitation, education and health) provides legitimacy and continuity, even as it is eventually reduced. As the new Government increases its strength there

will be an incremental hand-over of responsibility as the focus of assistance moves from operational to institutional support, which justifies renewed efforts with capacity-building activities. (...)

Many of the protection concerns which emerged in the IDP camps in 2006 related to assistance, with protection activities in large part focused on ensuring that basic needs were being met (food, Watsan, access to information, education and health services etc.) and, within the given space and other constraints, that appropriate gender and age sensitive site planning was undertaken (placement of latrines and lighting, establishment of play spaces, etc.). With the evolution of events since the onset of the crisis in April/May 2006, including the emergence in some camps of violent fringe elements who exercise power through intimidation, the situation in the camps has become considerably more complex. As such, in addition to assistance concerns, the protection issues which are likely to emerge in 2007/2008 are expected to be more difficult to address and will require careful handling through an increased presence of experienced national and international field-based protection staff.

As the IDP situation becomes increasingly entrenched, enhancing the protection field presence is vital to ensure that all prevention, response, transition, camp closure and return strategies are informed by the kind of in-depth understanding of the day-to-day realities faced by the displaced and other conflict-affected populations which can only be gained through a regular presence and interaction with camp and community populations. Improving the reporting systems and the coordination of an increased number of field-based protection staff will be vital to ensuring uniformity in coverage and approach, and to enhancing impact. Two themes in particular emerge.

A first concerns the ongoing efforts on the part of the SGBV sub-sector to raise awareness of the existence of the referral network of support services that provide emergency medical, psychosocial counselling care as well as legal services for victims of domestic violence, sexual assault and child abuse both in Dili and the districts. These efforts, which will be strengthened in the second half of 2007, have targeted camp managers, SLSs and gender-based violence (GBV) focal points from IDP camps and some surrounding communities. Information on human trafficking and how to recognize and prevent trafficking from taking place in the IDP camps has also been included in general awareness-raising activities on GBV.

A second is the unique series of protection challenges that children face in the current situation. Most children in IDP camps have been living there for up to twelve months, and as one of the most vulnerable groups within the broader population long term displacement exposes them to a variety of increased risks. These are associated with long-term exposure to inadequate shelter and living conditions, physical factors (e.g. fighting taking place in and around camps), predatory behaviour that often develops around displaced communities (e.g. trafficking) and, generally, inadequate health and hygiene conditions. Economic and other pressures mean that there are many more children engaged in street vending and begging around Dili, in turn increasing their vulnerability and risk of exploitation. Children's exposure to gender-based violence, including domestic violence, is also exacerbated by ongoing insecurity, displacement, and chronic poverty and vulnerability in and around displaced people's settings.

Most children in Dili have had their access to education severely disrupted, and many in camps are still unwilling or unable to resume regular schooling, in part because of fears associated with leaving the camps or being threatened on the way to, or at, the local school. In camps and other displaced communities, children are not able to re-establish patterns of normal childhood, with limited opportunities to play and disrupted networks of family and other relationships. Children are also disproportionately affected by the stress and psychosocial trauma associated with dislocation, violence and instability since this stress also impacts on how adults interact with those children in their care. Continued and strengthened efforts are urgently required to address violations of children's protection, including increased capacity to deliver psychosocial, legal and other support services, advocacy for their rights at community and national levels, as well as the development and dissemination of policies and guidelines in line with international standards and principles."

UNICEF, 5 July 2007

"For over a year now, 13-year-old Zaquel Pinto and his cousins have been living in the Obrigado Barracks, a displacement camp set up in a parking lot. They fled their home in May 2006, after widespread violence broke out in the country's capital.

The parking lot, which stands opposite the United Nations compound in Dili, was transformed into a camp for 7,000 people at the height of the crisis. About 800 people remain here today – their tents now augmented by plywood doors, beds and cupboards salvaged from their old homes.

(...)

Following civil unrest last year, Timor-Leste split between the eastern and western parts of the country. Soldiers fled with weapons into the mountains, where they remain a threat to security, leaving many Timorese unsure of what the future holds.

Children were not spared by the violence. Because his family came from the east, Zaquel was accosted by his own schoolmates and nearly stabbed in the stomach when he attempted to attend school last year.

A general calm has returned to Dili but sporadic violence still occurs. Due to the cramped living conditions in the camps, physical and sexual abuse may occur, especially for women and girls.

To help ease this sense of uncertainty and protect Timorese children from psychological distress, child protection teams have been set up in camps such as the Obrigado Barracks. Child-friendly spaces have been established and children have been provided with sports and recreation equipment."

UNICEF, 21 March 2007

"More than 40 per cent of the population in Timor-Leste live below the poverty line. The combined effects of poor environmental sanitation, frequent and severe infectious diseases, persistent malnutrition and parasites have led to an under-five mortality of 136 deaths per 1,000 live births. More than one in ten children is acutely malnourished and almost one in two suffers from chronic malnutrition. The 2006 WFP Comprehensive Food Security and Vulnerability Analysis showed 56 per cent of children under five to be under weight.

A significant number of the population is internally displaced and the resulting breakdown of social structures and services has seriously challenged the capacity of families, communities and the State to protect children. In addition to continued low-intensity conflict in Dili, natural disasters are common, especially floods and landslides during the rainy season. Due to poor drainage in highly congested camps, IDPs are at high risk of diarrhoea-related diseases.

A few schools remain closed in Dili due to the prevailing insecurity and in many places where schools are open, teachers do not report to work due to security concerns. Vandalism and looting have left most of the schools in the capital Dili without sufficient furniture, equipment and resources. Lack of water and sanitation is another problem mentioned by nearly all schools in Dili."

OCHA, 23 February 2007

"There has been increased reporting of incidences of incest, domestic violence and sexual harassment in some IDP camps, particularly in Jardim, Tibar, Metinaro and Baucau. Regarding Gender Based Violence, an area of concern is how to address these issues and encourage the victims to report. In some locations IDPs continue to be held hostage by camp managers and other IDPs."

Toxic spill near IDP camp creates anxiety among IDPs (May 2007)

- In April 2007, a leaking container containing dangerous chemical caused fear among locals as well as IDPs hosted in a camp located a few hundreds metres away.

WHO, 31 May 2007

"On 16 April 2007, a shipping container containing chemical material started leaking in Dili Seaport. The container contained approximately 20,000 litres of Hydrochloric acid (HCL 33.32%), which is highly corrosive and toxic. The accident occurred close to one of the biggest camps for internally displaced people (IDP), which houses some 300 families and is located 150 meters from the seaport.

After three days, the HCL accident had been contained. Most of the chemical had gradually leaked into the sea where it was diluted to a non-toxic level. There were no reports of HCL related symptoms to the health facilities, nor were any damage to animals or environment reported. However, the incident affected the income of the local fisherman and fish sellers in Dili and created anxiety among the IDP population.

The National Disaster Management Office (NDMO), the Ministry of Public Transport and Telecommunication and other ministries, the United Nations Integrated Mission in Timor-Leste (UNMIT), the International Stabilization Force (ISF), UNPOL and other partners responded to the incident in a coordinated manner. The "hot" zone was identified and decontaminated by water being pumped onto the leaking container, which was subsequently covered with powder cement. The area was sealed off in a radius of 250 meters from the epicentre, and advice was issued related to evacuation of IPDs and nearby residents."

IDPs killed by Australian soldiers in unclear circumstances (March 2007)

- On 23 February 2007, a clash between IDPs from a camp near the Dili airport and soldiers of the Australian-led ISF left two IDPs dead.
- According to the Australian government, the two IDPs had been threatening the soldiers who shot them in self-defence.
- According to the displaced, the violence started when the Australian soldiers started to arrest some IDPs guarding the camp. The displaced were reportedly resisting attempts by the soldiers to forcefully evict them from the camp.

Aotearoa Independent Media Center, 22 March 2007

"The widespread misrepresentation of the events of the past month make the following document, which was composed up by 'Internally Displaced Persons' resident at a camp outside Dili, invaluable. The refugees' statement was written in the aftermath of the deadly Anzac attack on the camp on February the 23rd, and it moves from a vivid description of a series of human rights abuses to a clear call for Anzac forces to leave East Timor.

The refugees, who were displaced during last year's civil war, were attacked after resisting attempts by the government of Jose Ramos-Horta to force them to leave the huge encampment they had established near Dili airport. Despite the fact that the 8,000 people in the camp had nowhere else to go, Horta and East Timorese President Xanana Gusmao had set a deadline of last November the 20th for them to leave the land they had been occupying. Anzac forces were called in to the camp after the refugees built barricades and threw rocks at police trying to evict them."

Japan focus, 16 March 2007

"Despair peered at me through the chain-link fence separating the airport from a refugee camp of nearly 8,000 internally displaced people (IDP). From behind this forlorn facade of despair, angry IDPs threw rocks at security personnel and their vehicles guarding the air terminal. Visitors

walking off the tarmac dashed to the safety of taxis with shattered windscreens and scarred bodywork amid a cacophony of projectiles pinging off metal.

My taxi driver explained that the government had declared the next day the deadline for the IDPs to leave the airport refugee camp.

It is a sign of the desperation in Dili that this miserable, flood-prone tent encampment along the fringe of the runway is deemed worth fighting for. It's more telling that those being asked to leave have nowhere to go.

The internally displaced were being encouraged to return to their homes or extended families, as the government worried that having settled in, the IDPs were becoming far too comfortable, with running water and regular meals at state expense."

IDPs of Airporto Presidente Nicolau Lobato, 28 February 2007

"Exactly on Friday, 23rd February 2007, at 07.40 (Time Timor Leste) the Australian troops were so violently runs after our colleague who was still waiting for transportation to go to school, work and some wanting to hospital. They blockaded until the front of IDPS main door, then Manuel Soares was captured and then laid him down to the ground and bit him by using stick until bleeding.

IDPS was shocked with these attitudes of mal- treatments of Australian troops. There fore, some other IDPS wanted to come and witness their colleagues who were being arrested by Australian troops.

The airport IDPS who became victims in that incident. Their name as follows.

* Manuel do Carmo from District Baucau, Sub-District Laga, violently arrested by the Australian troops in front of the IDPS door, laid him down to the ground, beaten him by using guns and all his body was wounded, and also puling him as animal and they threw him into Australian patrol vehicle.

* Delfin Sarmento from District Viqueque, sub district Uato-lari he was arrested, but then he escaped and he did not get into Australian vehicle, however the Australian troops pulled his T-shirt out of his body.

* Julio da Siva and Viriato Soares, from District Viqueque sub district Uato – Lari and Dilor they are both then went back into IDPS camp and spontaneously reacted against the Australian troops that were brutally assaulting into IDPS camp and at the time the Australian. Troops arrested Manuel do Carmo.

This incident got strong reaction from people and came out of the tent, against those attitudes of Australian troops in front of the entrance door.

Australian forces drove two tanks into by hitting IDPS door barricade which still unlocked and fueled the situation. The children, old man and women be suffered of tear-gas and resulted two seriously injured and two others were lightly injured and one got shot dead right away under IDPS tent by the Australian troops. The troops wanted to hide the dead bodies assuming he was shot outside of the camp so they then pulled out of barbed wire and his hair stickled at the barbed wire. Then the Australian soldiers cover up the dead –body with black plastics and thrown into

maize field. However, many of IDPS were seeing and shouted at them, and then they taken back the dead –body put into Australian military vehicle."

UN News Service, 23 February 2007

"United Nations police today in Timor-Leste are investigating deadly violence that erupted at a camp for internally displaced persons (IDPs) near the capital's airport, in which one Timorese was killed and two injured.

"The Special Representative of the Secretary-General, Atul Khare, has moved to reassure the people of Dili that the security situation at the IDP camp is under control," the UN Integrated Mission in Timor-Leste (UNMIT) said in a statement.

According to the International Security Forces (ISF), when they responded to a disturbance at the airport IDP camp, one ISF soldier "was attacked and defended himself by shooting the attacker, resulting in the death of one Timorese national."

Reuters, 23 February 2007

"A clash between Australian peacekeeping troops and East Timorese refugees camped near Dili airport on Friday left one civilian dead and three people injured, including an Australian soldier, officials said.

(...)

The Australian military said the clash occurred after one of its soldiers was attacked and had to defend himself at the camp, resulting in the death of one Timorese civilian.

"During the incident an ADF (Australian Defence Force) soldier was attacked with steel arrows, which are potentially lethal weapons. He defended himself by shooting the attacker," it said in a statement.

(...)

A refugee spokesman said the violence began after Australian soldiers tried to arrest some displaced people guarding a camp.

"They resisted by throwing rocks at the Australian soldiers who responded with shots and came inside the camp using an armoured vehicle. They dragged out those who were wounded and dead," Jose da Costa told reporters.

IDPs in camps at risk of violence and intimidation from youth gangs (October 2006)

- Fighting reportedly opposing gangs to IDPs left two people dead and led to the temporary closure of the airport at the end of October.
- The reason for the tension and animosity is reportedly linked to the regional origin of each groups, the IDPs originating mainly from the east and the youth gangs from the west.
- In early September, IDPs staying at Obrigado Barracks camp came under attack from youth gangs armed with slingshots and stones.
- During August, an estimated 3,300 IDPs left Obrigado Barracks camps out of fear and rumors that the camp would be burned down by western gangs. Most did not return but took refuge in different existing camps.
- At the end of June, IDPs in camps in Dili were attacked by gangs

UN News Service, 25 October 2006

"The United Nations police force in Timor-Leste has intervened to stop fighting between gangs and internally displaced persons (IDPs) that forced the closing of the airport in the small South-East Asian nation, shaken earlier this year by violence attributed to differences between eastern and western regions.

"At the moment it is calm," the chief of the Police Unit of the UN Integrated Mission in Timor-Leste (UNMIT) Antero Lopes told UN radio, adding that two people were killed yesterday in the fighting between youth gangs.

"Some youth groups were attacking the IDP camp and the IDP population were retaliating and the United Nations police was an interposition force trying to prevent both groups from attacking each other," he said. "The violence was contained after several hours of rock throwing and exchange of darts."

No injuries were reported amongst UN police officers and it was hoped that the airport would re-open tomorrow, he added."

AFP, 9 September 2006

"Dozens of youths Saturday attacked a refugee camp here in the latest episode of unrest to hit the tiny state of East Timor, eye-witnesses and the United Nations said.

The gang, armed with slingshots and stones, attacked the camp opposite the UN headquarters around 12:00 (0300 GMT).

"The attack happened ... with tens of youths. They threw stones and used catapults, and then the refugees fought back," Americo Marcal, a guard at the Obrigado Barracks camp, told AFP.

(...)

Nobody was seriously injured in the brawl but several refugees suffered breathing difficulties after inhaling tear gas, dos Santos said.

Saturday's violence followed an attack on Friday night in which seven camp inhabitants were injured after some youths fired rocks from catapults, dos Santos said."

AFP, 23 August 2006

"At this makeshift camp, thousands of East Timor's displaced people fear for their safety as youths intermittently hurl rocks at their temporary homes and rumours swirl of more serious attacks.

(...)

Despite the presence of some 3,000 international peacekeepers deployed to East Timor in May, when violence rocked Dili and led to 21 deaths, sporadic bouts of low-level unrest have continued to plague the capital.

(...)

Last week petrol bombs were thrown into this tent camp, which provides shelter to some 3,700 people -- even though the United Nations headquarters in East Timor is just across the road.

The UN expressed alarm over security at the temporary shelters last week, with a security advisor saying they appeared to have been singled out for attacks. At Obrigado Barracks, most people hail from the east.

Liberio dos Santos, a camp coordinator, said that just over 3,300 people have left the camp as rumours of attacks flared in recent weeks.

"The main reason for their departure is that they heard that the Obrigado Barracks camp will be burned down and people from eastern East Timor eradicated," he said.

Many of those who have left shifted to other camps not seen as being under threat, he said, rather than returning home."

AFP, 18 August 2006

"East Timorese are fleeing refugee camps because of an upsurge of violence, the United Nations said Friday, expressing alarm over security in the temporary shelters.

Sukehiro Hasegawa, UN chief in the tiny territory, said he met with community leaders after several violent incidents in and around the camps, where thousands have sought refuge over the past few months.

In the latest incident on Friday morning, men threw molotov cocktails and rocks at refugees staying at the Obrigada barracks, a camp opposite the UN headquarters in Dili.

"The particular incident that took place here, across the street, is very alarming to us," Hasegawa told a press conference later Friday.

He said several thousand refugees, or internally displaced people, had recently fled several camps dotted around Dili, amid fears of possible outbreaks of violence."

UN News Service, 29 June 2006

"In the latest violence today, at least 20 houses were burned in Dili, the capital, and threats were made to displaced people in the camps. Mr. Reske-Nielsen said conditions in camps in Dili, already grim, could rapidly worsen if the violence continues. One camp near Dili airport, housing several thousand people in white UN Refugee agency tents, was cut off from all supplies for several hours today, he said. Timor-Leste: Annan appeals for calm after new violence threatens displaced people.

UNHCR, 28 June 2006

"Tensions were high in Dili today as gangs continued to throw stones, burn and loot houses and intimidate the population, including some of those sheltering in makeshift camps around the Timor-Leste capital.

(...)

On Tuesday night, shooting, looting and house burning in the bairro of Beto prompted the movement of some 500 people from the neighbouring IDP camp at the meteorological bureau to the newly constructed camp at the airport. There was still tension at the site today, even though people had returned to their camp following meetings with IDP representatives, UNHCR officials and foreign troops.

Meanwhile, Catholic nuns at the Colegio de Sao Jose in the Lahane Timur area reported an escalation of stone throwing into their compound – temporary home to some 800 IDPs – over the past three nights. A teacher at the settlement said he was attacked by youths when he tried to return home on Tuesday night and had to be rescued by a priest from the college."

SUBSISTENCE NEEDS

General

Up to 300,000 people in Timor-Leste are in need of urgent food assistance (July 2007)

- Overall food security worsened during the first half of 2007, mainly due to a 25-30 per cent crop reduction due to adverse weather conditions.
- In addition to more than 100,000 vulnerable IDPs, more than 200,000 people in Timor-Leste are in need of urgent food assistance with only 36 per cent of households considered as food secure and global chronic malnutrition affecting 47 percent of the population countrywide.
- While most IDPs receive food assistance, very few subsistence farmers do.
- The presence of the displaced in host families in the districts is putting a strain on already overstretched resources.
- A study released by WFP in January 2006 showed that 43% of the population is either food insecure or highly vulnerable to food insecurity, mainly because of poor access to food, poverty, limited access to adequate farmland and underdeveloped agricultural markets.

OCHA, 17 July 2007, p. 10

"Food security has worsened during the past six months, with malnutrition a chronic problem in Timor-Leste. 42.6% of children below five years of age are underweight and 46.7% of children "too short" or stunted. A World Food Programme (WFP)/Food and Agriculture Organization (FAO) Crop and Food Supply Assessment Mission (CFSAM) carried out in March and April showed a reduction of 25-30% in crop production due to delayed rains, low rainfall, and reduced cultivation due to seed shortages and locust infestation. More than 200,000 people are now in need of urgent food assistance, in addition to the displaced population who are particularly vulnerable. The precariousness of the food security situation was highlighted in February and March this year. A shortage of rice and a major imbalance in supply and demand caused a drastic increase in rice prices, accompanied by outbreaks of violence.

Food assistance now needs to be provided to meet acute food gaps among the most food-insecure population during the hunger season and reduce malnutrition among the most vulnerable populations. The on going safety net programme (Maternal and Child Health and School Feeding) and assistance to rehabilitate the agriculture sector and to boost crop production through Food for Work/Assets (FFW/A) activities will significantly help to address malnutrition, short term hunger, and food insecurity in the districts."

FAO/WFP, 21 June 2007, pp. 5-6

"Food security in Timor-Leste is a key component of national security at large since only 36 percent of households are considered food secure, and global chronic malnutrition affects 47 percent of the population countrywide. Household food security is highly heterogeneous across districts, despite the fact that food insecurity is generally more pronounced in rural upland areas, where subsistence farmers are not able to engage in other activities. Food insecurity is positively correlated with the lean season, since the depletion of the vulnerable households' stocks is then particularly rapid. It is worth noting that this depletion of stocks added to the contraction of output is occurring after two years of reduced crops. Together with flaws in food security policy, these

factors can help explain why stocks were very scarce at the beginning of the recent rice crisis, and why the disruptions thus caused were so deep.

Food security also continues to be hampered by (1) limited market access, with villages being on average 20 miles away from the nearest market, (2) lack of effective demand by subsistence farmers in rural areas and impoverished city dwellers, Dili in particular, (3) very high post-harvest losses, (4) shortages of secure onfarm storage capacity, as well as (5) absence of policies to promote domestic production in the face of strong international competition, especially for rice.

Vulnerability analysis indicates that the total number of persons in prioritized districts in need of food assistance is 210 000-220 000 countrywide. It is worth noting that while most IDPs receive food aid, only a small proportion of subsistence farmers benefit from it. In addition to this, households up-country often accommodate IDPs from the cities, mainly Dili, a situation which further strains their already stressed resources. A better targeting of the needy and commensurate allocation of food aid may help in addressing the tensions created by what is often perceived as an unfair treatment by some population groups.

School-feeding (now called Food for Education) is an efficient tool to build up food security as it combines many advantages: (1) child under- and malnutrition problems are directly addressed, with all subsequent benefits when they grow, (2) it is an incentive to attend school, hence is conducive to sustainable development and (3) takes off a burden from their parents' shoulders both in terms of time to prepare food and, obviously helps provide sufficient food for the children. Mother and Child Health programmes (MCH) are also needed to safeguard pregnant women and children from deterioration of nutrition situation."

OCHA, 16 January 2007, p. 21

"A Comprehensive Food Security and Vulnerability Analysis (CFSVA) carried out by WFP across Timor-Leste in January 2006 provided the first ever nationwide baseline on food security and vulnerability. It showed that 43% of the population is either food insecure or highly vulnerable to food insecurity, and that food insecure households are found throughout the country. The key underlying causes of food insecurity were identified as inter alia poor access to food, prevalent poverty, limited access to adequate farmland and underdeveloped agricultural markets.

Food security is also becoming an increasing problem as the population expands at a rate of 3.4% annually, while the country's steep terrain and generally poor soils limit agriculture expansion. Furthermore, Timor-Leste is not only a food deficit country with regards to production, but even with the current level of imports, the country is still unable to meet the populations' requirements. "

Source: OCHA, December 2006

WFP, 30 June 2006, pp. 5-12

"Two thirds of the rural population, almost 600,000 people, experience food shortages at some time during the year and malnutrition rates are amongst the highest in Asia⁴. WFP carried out a Comprehensive Food Security & Vulnerability Analysis (CFSVA)⁵ at the end of 2005 with the main information extracted below. Most of Timor Leste suffers from food shortages for about four months of a normal year: October-November and February-March. Food insecure households are found throughout the country. However, there are some geographic patterns to the prevalence of food insecure households and to child under-nutrition.

Looking at the geographic distribution of the prevalence of the food insecure as determined by food access and dietary diversity/frequency, mapped out below, the most food secure areas are the urban and peri-urban areas of Dili (VAM 6 zone 5), where 29% of the households are considered food insecure or highly vulnerable. The most food insecure areas are VAM zone 3, located in the northeast quadrant of the country, where 51% of households are considered food insecure/highly vulnerable, and Oceussi, where 49% of households are considered food insecure/highly vulnerable. The least food insecure area is VAM zone 1, located in the southern half of the country, where 40% of the households, nevertheless almost half the population, are considered to be food insecure/highly vulnerable (table 1).

Among the main livelihood groups identified in the CFSVA, farmers were the most food insecure, particularly those that did not have livestock as part of their main livelihood activities. The skilled labourers, traders, petty traders, and wage earners were the most food secure among the livelihood profiles Nationally, 20% of households are considered to be food insecure, 23% to be highly vulnerable, 21% to be moderately vulnerable, and 36% to be food secure.
(...)

In the ECHO-funded 'Timor Leste Market Profile', carried out by WFP in late 2005, it is stated that all regions in Timor Leste are often in a food deficit situation, but that food insecurity is more prevalent in upland rural areas, especially between November and March as determined by the timing of the production season. Five districts out of 13 in the country attained minimal cereal requirements through their own production in 2004/05 while eight districts did not. The cereal production in the country in 2005 declined significantly as a result of severe nationwide drought.

The country's cereal import dependency increased from 20 percent in 1990 to some 30 percent currently. Under the new system, private traders have gradually replaced the BULOG (subsidized rice programme during the Indonesian reign) and are performing well in rice imports and domestic distribution to markets in Dili and in all districts and sub-districts of the country. Imported rice marketing at the sub-district level is done through many small traders who buy rice directly from importers in Dili and then sell to local consumers. Free trade has increased food availability during the lean season and during periods of significant domestic production failure due to natural disasters.

In Timor Leste, food security is closely tied to availability of maize and rice. Many rural households face food shortages between the rice and the maize harvest as detailed in the figure below."

General humanitarian conditions for the displaced continue to deteriorate one year after the May/April unrest (July 2007)

OCHA, 17 July 2007, pp. 1-8

"The humanitarian situation in Timor-Leste remains complex and multi-dimensional. The challenges posed by the prolonged IDP crisis – which has now lasted over one year – represent the most critical and visible part of much deeper issues at stake for Timor-Leste. 100,000 people, a significant portion of the population, remain displaced, burdening the already precarious living conditions of host families in Dili and the Districts. Despite positive economic projections for 2008, unemployment and poverty rates are high. Fluctuating economic growth patterns are still heavily dependent on external factors. Timor-Leste's nascent institutions are constrained by a lack of capacity and heavily reliant on external expertise, resulting in important issues such as land and property legislation, establishment of social welfare systems, and the reform of the

judiciary remaining unresolved. The situation for Timor-Leste's most vulnerable has worsened over the last six months.

(...)

Generally, conditions for IDPs are steadily worsening with the deterioration of basic shelter items, increased vulnerability in the camps (especially for children, women and other vulnerable groups) due in part to the erosion of traditional social protection coping mechanisms, and the lack of adequate solutions. In the camps the situation has been exacerbated by the emergence of powerful and at times politically motivated cliques among IDPs. Intra-community dynamics are further complicated by the fact that IDPs are often living among communities that are themselves vulnerable, with similar needs but with different levels of access to assistance."

Food

April/May 2006 unrest increased vulnerability of IDPs and host communities but impact on overall food security level remained limited (June 2007)

- Most IDPs have been supported with food assistance and are not directly affected by the 2007 crop failure.
- WFP assessment carried out in August 2006 showed that the April/May unrest increased vulnerability of IDPs, cut from their source of income, as well as host families, feeling the strain of having additional people to feed.
- Comparatively, the crisis has had a less than expected impact on food security. Prior to the crisis food insecurity was already widespread, mainly due to low purchasing power and poor agricultural practices.
- Before the crisis, it was estimated that 20% of the population (213,000) was food insecure and 44% vulnerable to food insecurity. Crisis has led to the emergence of new vulnerable groups, including 150,000 IDPs and 105,000 host family members.
- Many IDPs are likely to stay for a long period with host families thereby increasing pressure on host family's food stocks.
- Impact of the presence of IDPs will largely be felt in the traditionally more food secure areas of the country, such as Baucau, Bobonaro or Manufahi.
- An assessment by WFP in the wake of the unrest showed a drastic increase in number of households with poor quality diets

FAO/WFP, 21 June 2007, p. 23

"In addition to the farmers affected by crop failure, Timor Leste also have nearly 100 000 IDPs living in Dili or with relatives in the districts due to the political crisis that started in 2006. The IDP households have been supported with food assistance since May 2006. The IDPs level of livelihood stress varies and was beyond the scope of this assessment as they are not directly affected by the crop failure. A specific assessment is needed to determine the needs for continued food assistance to them.

The population figures by districts in the below table however, have been adjusted to the IDP influx into the districts and they are thus included in the number of people need of assistance if they are "ordinary farmers". WFP, has distributed 6 200 tonnes of food commodities between January to May 2007 and plan to distribute another 17 000 tonnes until March 2008 through different types of programmes such as Maternal and Child Health project, Food for Education and Food for Work. This covers the requirements for food aid based on the food gap. An evaluation will take place in late August 2007 to evaluate if the planned distributions meet the requirements.

An assessment will also be planned for later in the year to assess whether the projected needs have changed or remain the same."

WFP, 25 January 2007, p. 1

"Food insecurity is already prevalent across Timor-Leste. The civil unrest which began in April and May 2006 has only served to heighten concerns about a worsening of the food security situation in the country, a point highlighted by the Emergency Food Security Assessment (EFSA) in Dili district in June 2006. The EFSA in 12 districts outside Dili thus sought to assess the impact of the current crisis on livelihoods at the district level and identify the need for food and non-food assistance for the next 3-8 months.

The assessment shows that the crisis has increased the vulnerability of IDPs, who have been forced to move away from their homes and traditional sources of income. Families hosting them in the districts are also feeling the strain of having additional members in their households over an extended period of time. The impact of the crisis may appear to be less significant than expected, however, and this is largely because underlying factors such as low purchasing power and poor agricultural practices, among others, continue to have a much greater impact on food security and livelihoods in Timor-Leste. The recommended response to the crisis should therefore include a mix of strategies, aimed both at meeting the specific needs of IDPs and their host families, as well as at addressing the food security situation in the country as a whole.

(...)

Pre-crisis data indicates that approximately 213,000 people (20 percent of the total population) are food insecure. An additional 468,000 people (44 per cent of the total population) are vulnerable to food insecurity.

The unrest in April and May 2006 has led to the emergence of newly vulnerable groups, including the 150,000 IDPs living in camps in Dili and in the districts with approximately 105,000 host family members.

The underlying causes of food insecurity in Timor-Leste include inter alia prevalent poverty, limited purchasing power, poor access to adequate farmland, low soil yields, underdeveloped agricultural markets, and outdated farming techniques.

The EFSA shows that the unrest in April and May 2006 has increased the vulnerability of certain population groups, especially IDPs who have been cut off from their traditional sources of livelihoods. Host families in the districts are also feeling the strain of having additional mouths to feed over an extended period of time. This pressure on their food stocks and cash reserves can only be expected to increase as the traditional lean season wears on; added to that are indications from the EFSA that a fair share of IDP families do not intend to return to their homes in Dili in the near future.

While the overall food security situation post-crisis has deteriorated, it should be emphasized, however, that underlying factors such as prevalent poverty and poor agricultural practices continue to play a predominant role in perpetuating food insecurity in Timor-Leste. The impact of the crisis thus may appear to be less significant than expected – this has thus more to do with the fact that Timor-Leste already has some of the lowest nutritional and food security indicators in Asia, rather than a natural resilience of its population to man-made or natural shocks. In addition, the large amount of households affected by worse than usual post-harvest maize losses also plays a contributing role to the deterioration.

(...)

Pre-crisis data indicates that food insecurity is prevalent across Timor-Leste, with the highest concentration of food insecure people living in the country's northern and central areas, followed by Oecussi and districts in the northwest.

The EFSA indicates a greater influx of IDPs in Baucau district in the east as compared to other districts. Some 48% of sampled households in Baucau district confirmed hosting IDPs either currently or over the past 3 months, followed by Bobonaro (28%), Manufahi (28.1%), Lautem (27.9%) and Viqueque (25.6%) districts. These figures suggest that the impact of the presence of IDPs will largely be felt in the traditionally more food secure areas of the country, although even these areas have extremely high levels of food insecurity."

WFP, 30 June 2006, pp.4-18

"The initial findings of the EFSA indicate that the recent civil and political unrest has had a significant and immediate impact on the livelihoods and household food security of the population of Dili. Over 63,000 people have been displaced and are living in IDP sites within Dili; while a further 78,000 people have sought refuge in the outside districts, living mainly with relatives but also in sites in three districts.

57% of the population assessed indicated that they have ceased their primary income or livelihood activity.

Compared to the Comprehensive Food Security & Vulnerability Analysis (CFSVA) conducted by WFP at the end of 2005, the number of households in Dili with a poor quality diet has increased from 15% to 48%.¹

Prices of food commodities have increased significantly, particularly rice and vegetables. The availability of goods has been severely reduced as the three main food markets and most traders are either closed or operating at limited capacity. Import of goods and rice from Indonesia has come to an almost complete stop.

"Although the general consumption patterns have not greatly changed, the variety of the diet, mainly comprised of the less commonly eaten food items such as animal products, other starch sources such as cassava, maize, wheat, and other grains, and pulses/lentils, appears to be lower- which affects the overall quality of the diet.

Using the formula developed for the CFSVA to calculate a food consumption score, the same score was used for the EFSA household data (see page 7). The same cut-offs for food consumption groups were used with the following results:

As shown in figure 8 the percentage of households with a poor quality diet has increased drastically between the CFSVA and the EFSA (15% to 48%). There is little difference between sites and Aldeias in the EFSA data but there are slightly more households in the Aldeias that have a poor food consumption (55% compared to 44% in the sites).

The percentage of households with a good diet is much smaller in the EFSA sample, 29% in the CFSVA and only 2% in the EFSA. The dietary diversity/frequency methodology does not collect and analyse caloric intake but there are strong correlations between e.g. a reduced dietary diversity and reduced caloric intake that are well documented."

Overall deterioration of the food security situation in Timor severely limits capacity of hosts to provide food assistance to the displaced (July 2007)

OCHA, 17 July 2007, pp. 16-17

"Given the overall deterioration in the food security situation, many host families will be unable to feed IDPs due to limited household food stocks. Many food-insecure households that had encountered crop failure will start their lean period much earlier this year and seeds will be consumed as food. Furthermore, unless IDPs identify alternative sources of income, they will not be able to cope by themselves. It is thus extremely important to provide agriculture assistance in terms of inputs to rehabilitate local production capacity.

A number of factors limit agricultural production and food security including:

Low quality seed varieties. Seed stocks have been severely affected by the current crisis, largely because people eat them as a last resort in the absence of other food.

Lack of post-harvest storage. Post-harvest machineries, such as maize Shellers, rice thrashers, and milling machines are very scarce and significant amounts of food stock is lost during this labour-intensive preparation prior to storage.

Low skilled farmers and lack of extension facilities. Government officials in the Districts are in need of technical training, extension facilities and transport.

Lack of markets. Many villages are without a food market, so surplus maize is often not sold.

Rural to urban migration. Reduces the labour pool at the community level, particularly during land preparation and harvesting times.

Insufficient irrigation/water management. Many community irrigation schemes are not properly maintained and farmers do not coordinate their use of water resources.

Limited income generation through livestock production. Most animal holdings are only for household consumption and religious ceremonies.

The agricultural sector is in general very much under-exploited. There has been a marked reduction in planted areas in all Districts and very limited use of agricultural technology.

A large influx of people into the Districts. This strained food supplies, is jeopardising food security for thousands of households, and affects basic services of receiving communities and IDPs alike.

The most important needs over the next six months will include improved food security through expanded agricultural production; provide good quality seed and other inputs; introduce conservation agriculture as a concept for farming and gardening, with increased production diversity to better handle the lean months; expand home gardens for vegetable and fruit tree production and support school gardening; improve food storage and processing activities; provision of post-harvest machinery to address pre-storage losses and labour shortages; provide nutrition education and training and ensure systematic linkages with the social sector; and preparedness for locust infestations.

The target population for assistance comprises vulnerable persons including IDPs and their hosts, with a focus on subsistence farmers and those with limited non-farming income generating activities. FAO is also coordinating its efforts with the Government of Timor-Leste and other partners and working with all concerned to ensure efficient and effective delivery of seeds and other agricultural inputs, training and monitoring. The agriculture sector plans to undertake a number of programmes to strategically address the most immediate needs and issues related to the severe shortfall of food production this year, while at the same time addressing root causes of food insecurity in Timor-Leste."

FAO/WFP, 21 June 2007, p. 18

"The type of farmers that have been identified as being more vulnerable than the other farmers are those who do not have other income sources. These farmers are called ordinary farmers (see above).

Six districts have been identified for priority purposes where the food security situation is slightly worse than the other districts. These districts are; Baucau, Bobonaro, Ermera, Lautem, Manatuto and Oecussi. There is no difference in vulnerability between IDPs and local population and e.g. in Oecussi the IDPs are called returnees as they all have their proper homes there.

As mentioned earlier, the livelihood group that is most affected by the crop failure and the locusts are the farmers that are solely dependent on their agricultural production (called ordinary farmers in the CFSVA 2005) and do not have other income sources like livestock, small trade or handicraft. Based on the above analysis and prioritization of the worst affected districts from both locust infestation and drought like climatic change that greatly hampered the maize harvest, it is estimated that between 210 000 and 220 000 people are in need of food assistance until the next harvest.

Dili city is not included in the above estimation of people in need of assistance as assessing the needs of the IDPs who have received food aid since May 2006 is beyond the capacity and the TOR of this Mission."

ECHO, 21 February 2007, p. 3

"Out of the estimated 70,000 people that have fled from Dili to seek refuge in the districts, more than 8,000 are currently living in camps in the districts of Baucau, Liquica and Ermera. Their humanitarian needs are the same as the ones of the IDPs living in the camps in Dili.

Relatives, friends and local communities are hosting the majority of the people who fled from Dili to the districts. These people, who have been equally affected by the crisis and the shortage of food, have received rather limited humanitarian assistance compared to the IDPs in the camps, because they are more difficult to identify, and because of access and security constraints. The already low food security level of the host communities has significantly deteriorated because of the interruption of the support that was coming from relatives having an income in Dili before the crisis, and because of the drain caused by additional mouths to be fed and taken care of.

A sustained process of assistance and rehabilitation measures for all displaced people, whether they are currently staying in camps or with host communities, is necessary, with the objectives of enticing their return, helping their reintegration in the communities, and restarting an economic life."

OCHA, 16 January 2007, pp. 10-16

"UN agencies, NGOs and the Timorese Red Cross conducted a multi-sector rapid joint assessment of IDPs in the districts in June 2006. The assessment revealed that 96% of IDPs in the districts were living with host families and that the main concern was food security due to the sudden increase in the population. The assessment further revealed chronic water shortages in district capitals, limited availability of medical supplies, some disruptions to schools and universities, and rising tensions between IDPs and host communities regarding aid distributions.
(...)

The agricultural sector is currently in a crisis situation. The large influx of people into the districts has strained food supplies and is jeopardising food security for many thousands of host families. The monsoon, which was expected during the first week of November, is more than a month late and has further exacerbated the situation.

The emergency food assistance needs to be complemented with agriculture support to eventually wean people from external food aid and enhance local production capacity. The burden the host families are facing with the increased number of IDP members in their families needs to be reduced through enhanced food production. Strengthening homestead food production through sustainable use of locally available resources, combined with appropriate nutrition education, is essential to rehabilitation and recovery. Meanwhile, with the success of complementing WFP's school feeding programme in the past through school gardening, it is also very important to continue to support school gardening to supplement school meals with vegetables. This appeal will strive to enhance food security in the districts through the provision of agriculture inputs and additional initiatives to reduce post-harvest losses.

(...)

Food insecurity persists due to the high price of fuel, harvest losses and localised population increase caused by displacement. Food insecurity is particularly high in the districts, while in Dili it has improved due to the resumption of economic activities since the early days of the crisis. It has been agreed that general food distribution in Dili will end on 31 December 2006 and will be limited to the most vulnerable populations, as assessed by the Government. Food distribution to IDPs and host communities in the districts will continue, with the aim of reducing malnutrition rates and encouraging agricultural production. There is a need to ensure the continuation of food assistance during the lean season and possibly additional assistance due to high potential for drought caused by delayed rains. There is limited access to agricultural equipment and expertise. The WFP conducted food security assessments before and after the current crisis began.²² Pre-crisis data indicate that approximately 213,000 people (20% of the total population) are food-insecure, with an additional 468,000 people (44% of the total population) vulnerable to food insecurity. The second post-crisis assessment found that vulnerability has increased, including among IDPs cut off from their livelihoods and host families feeling the strain of additional household members.

(...)

Lingering civil unrest and the planned national elections will most likely keep the IDPs staying with their host families through the better part of 2007, if not until 2008. As indicated by the Emergency Food Security Assessment (EFSA), IDPs in the districts plan to cope in the coming months by relying on host families (27%), selling assets (17%) and farming more land (14%). Given the overall food security situation in the districts, host families will, for the most part, not be able to feed the IDPs. Furthermore, unless the IDPs identify alternative sources of income, they will not be able to cope by themselves. It is thus extremely important to provide agriculture assistance in terms of inputs to enhance local production capacity.

The large influx of people into the districts has strained food supplies, is jeopardising food security for many thousands of households, and affects basic services of the receiving communities and IDPs alike. "

Health

Prolonged displacement is increasing risks of disease outbreaks, in particular for IDPs in camps (July 2007)

- The prolonged displacement crisis is increasing the risks of disease outbreaks, in particular in overcrowded IDP camps.
- Displacement has caused cases of respiratory tract infections and other diseases to increase.
- There is a lack of an effective health surveillance system.
- Malnutrition is a serious chronic problem in Timor-Leste with 42.6% of children below five years of age found to be underweight, and 46.7% of children “too short” or stunted.
- Maternal mortality rates are extremely high with up to 860 deaths for every 100,000 live births.
- Despite one of the highest rate of malnutrition in the world, the nutrition situation in the camps appeared under control in early 2007.

OCHA, 17 July 2007, p. 10-26

"Displacement poses increased risks to public health, with higher than usual cases of respiratory tract infections, diarrhoeal diseases, malnutrition, and malaria. There is an urgent need to reinforce health surveillance systems and strengthen health service delivery while building local capacity.

(...)

With a prolonged crisis, the risk of disease outbreaks is high – especially in camps such as the Dili National Hospital. IDPs are particularly vulnerable to public health risks and the major disease threats among the IDPs, particularly in the Districts, are malaria, dengue, respiratory infection, and diarrhoeal diseases. Absence of an appropriate and consistent control of vector borne diseases and inappropriate use of insecticides increase the likelihood of malaria and dengue epidemics. This situation is further compounded by the crowded and unhealthy living conditions in IDP camps. Effective vector control systems should be established immediately to mitigate the high risks in the IDP camps.

Malnutrition is a serious chronic problem in Timor-Leste with 42.6% of children below five years of age found to be underweight, and 46.7% of children “too short” or stunted. Only 60% of newborns and 20% of infants up to five months of age are exclusively breastfed. Food insecurity plays a significant contribution to cases of malnutrition. The length of time which this humanitarian crisis has lasted will increase the risk of more serious malnutrition. Timor-Leste has the highest fertility rate in the world, currently estimated at 5.6%. This is consistent with extremely short birth intervals, which has implications on the nutritional status of mothers and their children. The recent Demographic Health Survey (DHS) indicated that over 60% of women and 70% of men failed to recognise any common contraception methods. Timor-Leste also has unacceptably high maternal mortality rates of up to 860 deaths for every 100,000 live births. The poor physical state of the majority of expectant mothers stems from a combination of malnutrition, close spaced births, malaria, and other diseases or conditions. There is a need for un-interrupted services in the area of reproductive health, especially when expecting mothers are exposed to the vulnerable situations in the camps or displaced in the districts, but without the normal stability."

OCHA, 16 January 2007, pp. 12-23

"Socio-economic factors and the volatile security situation have reduced access to basic health services. Feeding habits and food insecurity have contributed to one of the highest rates of malnutrition among children in the world: 47% chronic and 12% acute. However, in IDP camps in Dili, the nutrition situation does not seem to be critical. The screening of more than 3,000 children under five years of age at 52 IDP camps in Dili in June and July 2006 identified 121 moderately malnourished (4%) and only 7 severely malnourished children. Of these, 10 were referred to hospital for treatment. Infant mortality is estimated at 60 per 1,000 live births, while maternal mortality is as high as 420 to 800 per 100,000 live births. Key priorities for this sector include

maternal and reproductive health support as well as the establishment of an effective vector control system to mitigate a possible disease outbreak in IDP camps during the rainy season.

(...)

Health indicators in Timor-Leste are similar to other developing countries, with priority areas being communicable diseases, childhood illnesses, under-nutrition and maternal health. Tuberculosis, malaria, dengue, diarrhoeal diseases, Japanese encephalitis, intestinal parasitic infections, filariasis and leprosy remain the major health problems. HIV/AIDS prevalence, while small in comparison with the above diseases, is of concern despite being confined primarily to high-risk populations. Malnutrition, in particular undernutrition resulting from food insecurity, continues to be a matter of concern for the majority of the population."

Source: OCHA, December 2006

High level of malnutrition in and outside IDP camps but no significant increase in morbidity (August 2006)

- No major deterioration of the health situation in IDP camps.
- WFP survey in June 2006 noted no significant increase in morbidity compared to a normal year.

OCHA, 14 March 2007

"According to the Sector Working Group for Health, no major deterioration of the health situation has been observed in IDP camps. The services provided by District Health Authorities in Dili appear to be satisfactory. There are reports of cases of diarrhea and malnutrition in some IDP Camps. Community Health Centres are functioning all over the country and IDPs have been advised to utilize their services. A major concern is the security for IDPs who need to go to Community Health Centers and for the mobile teams who visit them. "

UNICEF, 3 August 2006

"Despite the best efforts of camp coordinators and humanitarian aid workers to keep the camp clean, children are still highly susceptible to infections and diseases. Coughs, malaria and acute diarrhoea are among the most common illnesses spreading among displaced children now.

Nutritional screening

As Timor-Leste moves into its fourth month of emergency, humanitarian aid workers fear that malnutrition could spread, affecting even more children. Before this year's crisis, Timor-Leste was already the most undernourished country in the Asia-Pacific region. Almost half of children below age five were underweight, with 15 per cent severely underweight."

WFP, 30 June 2006, pp. 20-21

"Morbidity incidents in Timor Leste were high before 28 April with poor hygiene practices, malaria and respiratory diseases. As soon as the first IDP sites were formed MoH in collaboration with the humanitarian community set up mobile clinics, transportation of water and constructed latrines. Health services, either through permanent- or mobile clinics, have further developed as the situation evolved, and are relatively well covered in the IDP sites. The statistics in figure 12 are based on data from the health surveillance system compiled by MoH from all health providers.

Analysed statistics show that there is no significant increase in morbidity compared to a normal year in June apart from Upper Respiratory Infection that has increased. Suspected cases of malaria are e.g. lower than normal.

UNICEF together with the Ministry of Health and NGO partners launched a measles vaccination campaign on 12 June for children between six months and 14 years and simultaneously provided Vitamin A supplementation from 6-9 months."

Very high malnutrition rates already prior to the April/May 2006 unrest (June 2007)

- Nutritional impact of the unrest and the erratic rains is unknown

FOA/WFP, 21 June 2007, p. 19

"The nutritional impact of the unrest and the erratic rains is unknown as no survey has been done and no surveillance system is yet in place 11 months after the onset of the conflict. What is known is that the nutritional situation was very alarming prior to the crisis and has most likely not improved.

The team observed both moderate and severely malnourished children during the field visits but it was of course impossible to assess the magnitude. Mothers in the focus groups reported that many of their children had lost weight during the past months.

Table 6 shows results from previous anthropometric surveys indicating that the level of malnutrition in Timor-Leste would call for blanket supplementary feeding to all children under the age of 5 and to all pregnant and lactating women. Malnutrition rates are unacceptably high and demand a multi sectoral approach in reducing both acute and chronic malnutrition.

There is an overall low utilization of health services – in particular for preventive services, one of the biggest challenges of the health sector. Despite the poor health status of the population, only one in ten people seek outpatient care when sick. Only one in four deliveries is attended by skilled health staff, and immunization coverage of children under one year is unacceptably low."

UNDP, January 2006, p. 2

"Health standards are also compromised by a lack of food. Many rural households go short of food during the lean months from November to February. Currently, 64% of the population suffer from food insecurity. Food insecurity is partly the result of low levels of food production – a consequence of poor land and the generally low levels of technology, combined with high crop losses, both pre- and post-harvest. Another problem is distribution: many farmers lack storage capacity and find it difficult to get their produce to markets."

Very low knowledge and awareness of HIV/AIDS issues among most women (August 2006)

Earnest, J & Finger, R., August 2006, p.4

"Nearly 85% of respondents had left their homes during the conflict in 1999. Displaced persons, regardless of whether displaced within or out of Timor-Leste, returned mostly within the first 6 months after the conflict. The proportion of respondents displaced during the conflict varied within

the 6 districts with Oecussi and Cova Lima having the largest proportions of displaced persons in this sample during the conflict.

Both the Vulnerability Assessment Mapping workshops and Migration Patterns Survey, documented a very low knowledge and awareness of HIV/AIDS. Misconceptions were very prevalent during the workshop and the mode of infection/transmission rather unclear. Of the 1213 survey respondents, 60% had heard of HIV/AIDS, but were not sure whether there was any in Timor-Leste. Knowledge and usage of condoms was extremely low. An issue which emerged strongly at all workshops was the traditional role of women in East Timorese society being an impediment to HIV/AIDS and sex education.

The patriarchal structure of East Timorese society makes women vulnerable, as they cannot negotiate safer sex and often have no say in family planning matters. Illiteracy, poverty and a lack of employment and income generating opportunities further worsen this situation. People lack the capacity to access information and have a low level of knowledge about sexual health. More long-term research needs to focus on possible behaviour change projects to improve the situation of women in Timor-Leste. Cultural factors often impede programmes targeting sensitive issues such as sexual health and HIV/AIDS. These factors (the patriarchal nature of Timorese society, the dowry system, the role and status of women, cultural beliefs and taboos) will need to be addressed in a sensitive and culturally appropriate way. There is a lack of data, and a reliable estimate of HIV prevalence in the general population in Timor-Leste. Information about HIV prevalence would greatly assist in prioritizing and allocating funds and resources."

Water and sanitation

At least 5,000 IDP families in 62 camps will be in need of watsan support until they are able to return home (July 2007)

- Watsan assistance is currently provided in 50 camps in Dili, 12 camps in Baucau district and 4 transitional sites.
- An assessment of 13 high-risk countries, conducted in March 2007, identified 6 camps that needed immediate and significant improvement or closure. An additional 7 camps were identified as of 'moderate risk' but needing significant improvement in the short term.
- An estimated 5,000 families currently living in 62 camps (in Dili and Baucau) will require ongoing shelter and Watsan support until barriers to their return are resolved.
- In September/October 2006, the following high-risk camps were identified: Canossa Lacidere, National Hospital, Balide Igereja, Jardim, Farol Belums Office, Motael Church and Clinic, Obrigado Barracks Parking Lot, Central Pharmacy, Airport, Hera Port and Hera Bedik.
- In August 2006, the WSWG recommended the closure of the following camps mainly due to the poor sanitation conditions: Farol Belun's office (both sites) (239 people), Parking Lot Obrigado Barracks (6,338 people) and Central National Pharmacy (731 people).

OCHA, 17 July 2007, p. 33

"The Water and Sanitation Working Group (WSWG) has been providing Watsan services to IDPs in Timor-Leste since April 2006. Watsan assistance is currently being provided at 50 IDP camps in Dili, 12 camps in Baucau, and four transitional shelter sites. The WSWG, led by the National Directorate of Water and Sanitation (DNAS), has two major objectives:

- Improve sectoral coordination for effective delivery of Watsan services to IDPs, in particular vulnerable groups such as women and children;

- Strengthen DNAS capacity to mainstream humanitarian responses, including current IDP response and future emergencies, into the Government's regular operations.

The WSWG worked with DNAS to develop a Government integration strategy in December 2006, outlining the process by which implementing partners aimed to upgrade WATSAN facilities to international standards and integrate WATSAN services into the DNAS regular programme. DNAS has taken over the rubbish collection and septic tank emptying responsibilities in Dili and has also made budgetary allocations to provide IDP support services in Dili in the Districts in the next financial year (2007-2008).

The Government requested that camps be upgraded in March 2007 as it became clearer that closing the camps would take significant time. The WSWG subsequently conducted assessments of the Watsan conditions in the 13 highest risk camps in May 2007. The results of this assessment recommended six IDP camps for significant improvement or closure due to poor Watsan conditions. A further seven camps were determined to be of moderate risk needing significant improvement in the short-term. The facilities in a number of other camps also require improvement as they were built for the short-term emergency period.

The WSWG continues to work to make facilities more sustainable while recognising that the camps are a temporary measure, and where possible to promote IDP management of systems and to integrate support to the camps into the DNAS operational structure. It is estimated that approximately 5,000 families²¹ currently living in 62 camps (in Dili and Baucau) will require ongoing shelter and Watsan support until barriers to their return are resolved. It is expected that there will be a significant population remaining in the camps until at least December 2007. Given the high risk of illness if a deterioration of sanitation conditions occurs, it is vital that Watsan provision continues in the camps."

WSWG, May 2007, pp. 1-3

"In Sept/Oct 2006, the WSWG (then WASH-WG) developed a list of high-risk camps based on the anticipated risk of flooding, which was considered to be the critical water and sanitation issue at that time. There were eleven high risk sites identified: Canossa Lcidere, National Hospital, Balide Igereja, Jardim, Farol Belums Office, Motael Church and Clinic, Obrigado Barracks Parking Lot, Central Pharmacy, Airport, Hera Port and Hera Bedik. See Attachment 4: High Risk Camps - Water, Sanitation and Drainage Assessment of Dili Camps (Oct 2006).

Later in the wet season, the list was amended to include Metinaro camp. As Hera Bedik camp had closed by that time, the total number of high risk sites remained at eleven.

As alternative shelter options become available, the WSWG identified the need to reassess the sites based on the broader WatSan criteria including water, sanitation, drainage and the management of WatSan facilities, in order to make more sound recommendations about priorities for camp closure and priorities for movement to transitional shelters.

(...)

Camp Closure Priority Ranking

This assessment covers the access to water, sanitation, drainage and the management of WatSan facilities. The assessment ranks sites as:

High risk: Camp is in need of immediate and significant improvement of WatSan facilities or requires closure;

Moderate risk: Camp is in need of significant improvement in the near future;

Low risk: Camp WatSan standards have met Sphere standards and have a sustainable / acceptable level of service.

The camps that are currently ranked High risk include:

- 1.5 National Hospital G Valadares
- 3.5 Jardim Nicolao Lobato
- 4.7 Balide Cannossiana Sisters
- 7.1 Central National Pharmacy
- 5.3 Fatumeta Seminario
- 10.4 Airport

Moderate sites include:

- 1.2 Canossa Lecidere
- 2.3 Balide Igreja
- 2.5 Becora Salaun Igreja
- 3.2 Farol Escola Primaria
- 3.9 Motael Church & Clinic
- 4.3 Parking Lot Obrigado Barracks
- 9.1 Has Laran Canossa School
- 10.1 Comoro, Dom Bosco
- 10.3 Comoro Police Academy
- 0.1 Metinaro
- Tibar
- Ex-Chinese Consulate
- UIR

These results have been used by agencies to develop and prioritise future works plans and submit funding requests under the CAP and through other donors. However, there are some camps that will remain in an unsatisfactory WatSan condition despite conducting major works due to space, capacity and environmental limitations. It is these camps that the WatSan working group wishes to draw attention to for either closure, prioritization of IDPs for transitional shelter or methods that lead to a dramatic decrease in IDP population.

The sites that will remain high risk after any possible remediation work is complete have been assessed as:

- 1.5 National Hospital G. Valadares
- 10.4 Airport
- 7.1 Central National Pharmacy
- 4.7 Balide Cannossiana (not recommended for closure, but reduction of numbers)

Sites that will remain moderate risk after any possible remediation work is complete have been assessed as:

- 3.5 Jardim
- 10.3 Police Academy (depending on number and timeframe of cadets returning)
- 4.3 Parking Lot Obrigado Barracks"

WSWG, 1 August 2006

"The WASH-WG has assessed the sanitation and drainage conditions in the Dili camps. This assessment summarises the least viable camps (from a sanitation and drainage perspective). The assessment was undertaken using the Sphere Guidelines (2004) and UNHCR Handbook for Emergencies (2000).

The following recommendations are made:

1 Three camps are prioritized for closure due to the difficulty in meeting even the lowest standards of sanitation. The total population affected is approximately 7,300 people. It is noted the population figures are inflated, reflecting the return home of many people during the day and people possibly

'holding' a position in the camp due to ongoing security concerns. These camps may be able to support a significantly reduced population. The camps recommended for closure/relocation are:

- o 3.1 Farol Belun's office (both sites) (239 people)
- o 4.3 Parking Lot Obrigado Barracks (6,338 people)
- o 7.1 Central National Pharmacy (731 people)

2 The Stadium should not be opened as a camp due to very poor drainage and regular flooding in the rainy season. The WASH-WG considers that the stadium would be best used for sporting and social activities that will enhance the reintegration process during the coming months.

2 Twelve camps are assessed as being medium risk, requiring additional sanitation and drainage work prior to the rainy season. These camps must be re-assessed and closely monitored to ensure the standards of sanitation and drainage are improved. If there is a very heavy rainy season in 2006/07 then these camps will no longer be safe. It should be noted that two camps with large populations require drainage work to be done prior to the rainy season; Dom Bosco (population 14,150) and the Airport (population 5,500).

3 It was agreed at the WASH-WG meeting on 28th July that DNAS would coordinate with the Ministry of Public Works to arrange for the clearing of the city drainage network to proceed, giving priority to those drains which serve the camps identified as high and medium risk. An as-built layout of the city's drainage network is held by DNAS, and this will be used to plan this work. In relation to the camps identified as having conditions that put people's health at risk, people must be supported, and not forced, to re-locate to an alternative site which provides them with security and a healthy living environment. The WASHWG acknowledge the importance of people choosing where they reside, and have the right to seek safety and not be forcibly moved. People have the right to both security and a healthy living environment."

More than half of the rural population have no access to safe water supply (January 2007)

- Only 39% of primary schools have access to safe and reliable water supply and to sanitary latrines throughout the year.
- More than 50% of the rural population do not have access to safe water supply.
- According to a UNICEF assessment, 60 per cent of the villages hosting IDPs who fled the 2006 violence are without sufficient water supply.
-

OCHA, 16 January 2007, p. 13

"A recent water and sanitation assessment shows that only 39% of primary schools (58 out of 148 cases studied) have access to safe and reliable water supply and to sanitary latrines throughout the year. The projects in this sector propose to address basic water and sanitation needs in camps and communities hosting IDPs, and to improve drainage conditions in eleven IDP camps at high risk of flooding and disease outbreak in Dili. Priority districts for this sector are Dili, Baucau and Liquica. Although hygiene kits have been distributed by the International Committee of the Red Cross (ICRC), UNICEF and other partners in some districts, there remains a need to support the remaining ones. More than 50% of the rural population do not have access to safe

water supply. This sector is particularly critical due to recurrent floods and droughts that usually affect a number of districts. National contingency planning is currently underway and is expected to make recommendations regarding water and sanitation support."

Source: OCHA, December 2006

Source: OCHA, December 2006

UNICEF, 3 August 2006

"UNICEF and four local partner organizations have also conducted a rapid assessment of the water and sanitation situation in the camps and villages hosting those who have fled violence. According to the assessment, 60 per cent of the villages are without sufficient water supply.

To help alleviate the problem, UNICEF has supported the government's water and sanitation services by delivering water to Baucau District, home to more than 25,000 displaced people.

UNICEF also has distributed family water kits, which include items such as water containers and water purification tablets, to the displaced communities in Liquiça District."

UNDP, January 2006, p. 1

"Health standards are still very low. Life expectancy in 2004 was estimated at only 55.5 years – 54.0 years for males and 56.6 years for females. The people of Timor-Leste remain vulnerable to respiratory and diarrhoeal diseases as well as malaria, dengue fever, TB and leprosy. They do not yet face a widespread epidemic of HIV/AIDS, but few people are aware of the threat it poses and fewer still know how to prevent it. People suffer from poor health partly because they cannot get ready access to health services. But water supplies and sanitation are also deficient: half the population do not have access to safe drinking water, and 60% do not have adequate sanitation."

Shelter and non-food items

Need to develop emergency or short-term shelter sites and to repair damaged houses (July 2007)

- Transitional shelters is to provide a temporary solution to the displaced but its implementation is still hampered by social tensions, security concerns and lack of consultation with IDPs.
- Unaddressed land and property issues, lack of reconstruction and unresolved political issues will keep the displaced in camps for some time and in continuing needs of shelter.

OCHA, 17 July 2007, p. 10

"Although permanent shelter solutions remain far off, transitional shelter is beginning to provide midterm solutions to those whose displacement is likely to be protracted. However, Government allocation of transitional shelter has been constrained by social tensions, security concerns and lack of consultation with IDPs. Progress will be necessary in three key areas: repair and/or construction of damaged or destroyed houses; establishment of arbitration/restitution mechanisms; and legal recognition of property rights."

UNSC, 1 February 2007, p. 16

"52. It is likely that the crisis with regard to internally displaced persons will continue for some time owing to a number of underlying factors. More than 2,200 houses have been destroyed and more than 1,600 damaged. This means that, in the near future, more than 20,000 persons will remain without a home to return to. The Government has designed transitional shelter plans for families whose houses have been destroyed and will assist with construction material for damaged houses. However, current construction plans address only a small percentage of shelter needs, and complex land and property issues complicate the return and reintegration, as does the verification of compensation claims. Furthermore, until the underlying causes of the situation of insecurity and political crisis are resolved, the potential for durable solutions will remain uncertain given the persistence of genuine fear among internally displaced persons about security in areas of return."

OCHA, 16 January 2007, p. 12

"Shelter is a key issue in this context. Emergency shelter has been provided to IDPs in the form of tents and plastic sheeting. However, with the end of the emergency assistance phase, shelter will need to be addressed in a more sustainable way. While the Government makes progress with its plans to rebuild transitional shelter for IDPs whose houses have been destroyed, there is a need to develop emergency or short-term shelter sites to temporarily accommodate or resettle those who cannot return, and others who need to be relocated due to flooding of their current camps. The humanitarian community is seeking to establish a focal point to provide technical support to the revised Shelter Working Group. Although shelter assistance has been provided mainly in Dili, because of the concentration of camps in the capital, assistance will now be refocused on the districts. For the purpose of this Appeal, shelter assistance has been included in the Multi-Sector section. Damaged infrastructure will have to be rehabilitated in the mid- to longer-term, within the framework of a transition to development programme."

Emergency shelter will be needed at least until end-2007 (July 2007)

- After more than a year, large number of people are still living in improvised makeshift shelters such as churches or government buildings.
- Most camp-based IDPs are living in tents and have no homes to return to.
- In July 2007, the UN estimated that emergency shelter would be needed for at least the next six months
- NRC estimates that some 5,000 families in 62 camps will require ongoing shelter support

OCHA, 17 July 2007, pp. 31-32

"The majority of IDPs displaced to Dili by the crisis found refuge in church or Government compounds, which were not designed for sheltering large numbers of people. While IDP numbers have reduced substantially over the past year, continued insecurity within Dili has meant that large numbers of people are still residing in these spontaneous camps, with even more living outside the camps in makeshift arrangements in or on property belonging to others. The camp-based IDPs are living primarily in tents, often in crowded and sub-standard conditions due to site constraints. Current data indicates that over 75% have had their homes damaged or destroyed and will be unable to leave the camps without additional housing assistance.

Providing IDPs with both immediate and durable shelter solutions to ensure adequate and appropriate accommodation is fundamental to a duty of care and to securing their rights to voluntary return in safety and dignity.¹⁹ Shelter solutions need to pay due consideration to health,

protection and social cohesion and incorporate provision of related Non-Food Items (NFIs) as well as necessary services (particularly Watsan). At present in Timor-Leste there are pressing needs across the continuum of emergency, transitional and permanent shelter provision and an acute need to facilitate movement between these stages.

Emergency shelter is likely to be needed for at least the next six months as many thousands await the repair, reconstruction or replacement of their former homes. The shelter and utility infrastructure currently provided at these sites are in very poor condition and their replacement and/or upgrade is a matter of urgency. Efforts to improve camp conditions as well as find durable solutions to shelter needs are on-going. These will include rehabilitation of damaged housing as well as construction of new shelter units. While permanent housing solutions are being developed, agencies will continue to provide emergency shelter assistance within spontaneous camps and upgrade conditions at these sites as and where feasible.

Moving towards more durable solutions, transitional shelters are beginning to provide mid-term solutions to those whose displacement is likely to be protracted. Initially this shelter is being offered to those living in camps that pose particular health and/or security risks. However, places are currently limited and social tensions make it difficult to secure movement to the finished sites. Permanent shelter represents the final objective. Attention needs to be given to three key areas that are integral to re/integration: repair and/or construction of physical structures, social acceptance of the occupants and legal recognition of their right to occupy.

These two latter points are important, as shelter is not only providing cover from the elements and a place to live. At this point substantial work remains in rehabilitation and reconstruction, dialogue and harmonisation and in the development of the necessary legal tools to regularise occupancy. Supporting dialogue is integral to meaningful shelter solutions. Experience to date has shown that reconciliation and community acceptance of returning families to the homes they were forced to abandon or to new locations are the very foundations of the recovery process.

In April 2007, UNHCR handed over the emergency shelter coordination function to IOM."

NRC, 17 July 2007

"Government efforts to encourage the movement of IDPs from camps to safer transitional locations have made little progress.

"Things are changing for the better for many of the displaced in Timor Leste, although slowly. Return of the IDPs is difficult due to lack of safety and resistance in the communities, as well as unresolved land and property conflicts dating back to the Indonesian occupation", Country Director Alfredo Zamudio says.

Both the UN and the government assume that the current IDP situation will last at least until 2008. Provision of basic services, camp management, protection activities, replacement and upgrading of shelter in addition to utility infrastructure including water and sanitation are desperately needed.

It is estimated that approximately 5,000 families currently living in 62 camps in Dili and districts will require ongoing shelter support. It is important to note that current IDP figures are an estimate, pending a formalized registration process. The latest assessments show that 3,119 houses were destroyed, 2,242 were damaged and many more undamaged but occupied by others, leaving an estimated 25,000 people homeless."

ACCESS TO EDUCATION

General

All children at school age affected by the crisis (July 2007)

OCHA, 17 July 2007, p. 23

"Education in Timor-Leste was severely affected during the 1999 departure of the Indonesian forces. Most educational facilities were destroyed and more than 50% of teachers were Indonesian nationals who opted to leave. The past years has seen the focus on the rehabilitation of school infrastructure as well as on training of teachers -both qualified and unqualified – and on the development of a new curriculum and teaching materials in the two national languages, Tetum and Portuguese.

The crisis in Dili has affected all children at school age, regardless of whether or not they live in IDP camps. Nearly all schools closed at the onset of the crisis in late April 2006, and some only reopened in January 2007. The continued violence in various parts of the city continues to affect the functioning of the schools; five primary schools and two secondary schools had to completely close down for two months in February/March due to trouble in their neighbourhoods. Nearly all other schools in Dili see drops in attendance of students and teachers whenever violence breaks out in their vicinity.

The majority of Dili's schools face extreme hardship as classrooms, water sources, and toilets are damaged, furniture broken or looted, and school materials stolen. In addition, there continue to be security concerns around schools, which affect regular attendance by teachers and children. The majority of school-aged children living in camps attend regular schools and have voiced their desire to attend a "normal school". For two camps with larger populations of school aged children (primarily grade 1 and 2) not attending school, temporary schooling has been established in consultation with the Ministry of Education, Culture, Youth and Sports (MECYS) and the camp managements."

OCHA, 23 February 2007

"The current security situation in Dili has led to temporary closure of some schools and drop in school attendance. However, primary school attendance seems to have recently increased with the distribution of 199,385 back packs containing stationery items by UNICEF throughout the country, along with 5,566 teachers bags with teaching materials. A number of schools and IDP camps in Dili and vicinity also received tents and additional learning support materials.

The WFP-assisted School Feeding (SF) programme continues to provide mid-morning meals to primary school children in Atauro sub-district, Ainaro, Baucau, Bobonaro, Covalima, Liquica and Oecussi districts, resulting in an increase in primary schools enrolment from 11,000 to 14,000 pupils in Ainaro district. The programme now covers 66,082 children, including 33,546 boys and 32,536 girls in 301 schools. During the past week there has been cases of attacks and theft of food intended for the SF programme in Liquica and Baucau districts. Security of the food was highlighted as the biggest problem facing the implementation of the SF programme at 12 schools in Maucatar, Suai Kota, Tilimar and Zulamai sub districts in Covalima district."

OCHA, 16 January 2007, p. 12

"The situation in this sector remains critical despite a number of ongoing initiatives. While most children in Dili are now attending school, classes are overcrowded due to lack of sufficient teachers and classrooms. The arrival of IDPs in the districts such as Baucau and Liquica has worsened the situation. There is also a need to strengthen Government-led coordination in Dili and the districts.

(...)

Education in Timor-Leste was severely affected during the 1999 departure of the Indonesian forces, as most educational facilities were destroyed and more than 50% of the teaching force was Indonesian nationals who opted to leave. Over the past years the focus has been on the rehabilitation of the school infrastructure as well as on training of teachers - both qualified and unqualified – and on the development of a new curriculum and teaching learning materials in the two national languages, Tetum and Portuguese.

The crisis in Dili has affected all children at school age, regardless of whether or not they live in IDP camps. Nearly all schools closed at the onset of the crisis in late April 2006, and despite efforts to

resume education, many schools still provide normal services, while others remain closed due to extensive damage or threats to teachers and children. The majority of Dili's schools have reopened, but most face extreme hardship as classrooms, water sources, toilets are damaged, furniture broken or looted, and school materials stolen. In addition, there continue to be security concerns around schools, which affect regular attendance by teachers and children. The majority of school-aged children living in camps attend regular schools. For camps with large populations of school aged children not attending school, temporary schooling has been established in consultation with the Ministry of Education.

The Ministry of Education, UNICEF and partners responded to the crisis by conducting first a rapid assessment, and then an in-depth assessment to identify displaced children at school age and to identify their needs. In August 2006, an Emergency Education Working Group was formed in the Ministry of Education to coordinate all educational activities and provide consolidated feedback to the overall relief coordination forum. This working group includes representatives from UNICEF, IOM, PLAN, CARE, Christian Children's Fund (CCF), Peace Winds as well as bilateral donors such as New Zealand and Brazil. It coordinates actions and the provision of services such as teachers training, school supplies, and monitoring of schools and IDP camp educational activities.

Support is being provided to the Ministry of Education to conduct a nationwide registration of all teachers and students in primary, pre-secondary and secondary schools. This data will provide a clear idea of the extent of the displacement of children at school age, the location of teachers as well as the impact of the crisis in terms of school dropout. A psychosocial training of teachers in IDP camps affected by the crisis is currently being implemented and is expected to continue in 2007. UNICEF is presently seeking funding from SIDA to develop capacity in the Ministry of Education for the preparation of national and district level emergency preparedness plans. The Ministry of Education has also committed to including a Ministry-level budget for rapid emergency response as of 2008, and to look into strengthening their ability to access the Prime Minister's relief fund for emergency education in 2007."

High demand for literacy courses among displaced people (May 2007)

UNICEF, 8 May 2007

"The Metinaro camp for displaced persons is 30 km east of Dili, the capital of Timor-Leste. When widespread violence broke out in Dili in 2006, Metinaro was lined with tents sheltering thousands who had lost their homes or were afraid to return.

A year later, almost 1,440 families remain. Their homes now have thatched roofs and some have zinc plates as walls, affording more shelter and privacy.

Life is tough here, but 75 women and adolescents are finding relief from their daily routine. Three times a week, they attend literacy classes supported by UNICEF.

(...)

Literacy classes were started in three major camps late last year in response to an overwhelming demand from the displaced population. UNICEF funds the classes and supplies materials such as literacy manuals and tents for the adolescent and adult learners.

(...)

The country's 2004 census revealed that only 32 per cent of people over 15 years of age were able to speak, read and write the official language, Tetum. More than 40,000 young people are estimated to be out of school or illiterate."

WB, 19 June 2007

"While important improvements have been made in Timor-Leste's education sector, since it achieved independence in 2002, most notably increasing the primary school net enrollment rate from 51 percent in 2000-2001 to 80 percent in 2004-2005, serious challenges remain. Over 40 percent of adults are illiterate; the basic mathematic ability of students is low with girls performing worse than boys; schools have few textbooks and other instructional materials; school drop-out rates are high, particularly during the first three years of schooling and in the final grades of pre-secondary school. Timorese society is also young with more than 50 percent of its population under 15 and with one of the highest fertility rates in the world, this is placing further stress on an already challenged education system."

UNDP, January 2006, p. 1

"Education standards too are poor. In 2004 the adult literacy rate was only 50.1% – 56.3% for males and 43.9% for females. The situation should improve as more children go to school. But too many children are still missing out: between 10% and 30% of primary school-age children are not in school – particularly those from the poorest families. Even when they do enrol, pupils tend to do so late and then have to repeat classes or drop out; fewer than half of children entering primary school complete six years of education.

There is also very little education outside the normal school ages: only around 2% of children under five attend any kind of pre-school or playschool. At the other end of the age scale, few adults attend literacy classes, whether organized by the Government or NGOs."

District schools to enrol IDP students from Dili (July 2006)

UNICEF, 3 July 2006

"Over 700 secondary students fleeing violence in Dili, the capital of Timor-Leste, flooded into schools in the eastern district of Baucau last month. Ever since, Baucau Town's three secondary schools have been struggling to cope with the overflow.

Some 25,000 people – about a third of those estimated to have decamped from the capital – moved to Baucau District following the escalation of violence in Dili at the end of May. Throughout the crisis, Baucau has remained calmer than the capital, with no major incidents of violence and most services still functioning.

The government has also instructed all primary schools in Baucau District to take in every child displaced from Dili. It is not yet known how many primary school-age children have enrolled in Baucau's schools, but one primary school in the town is struggling to cope with an additional 160 pupils.

Another school, Don Bosco Primary, is still holding classes even though it has become a refuge for more than 350 displaced people.

Overburdened facilities

Of the 150 teachers who have come to Baucau District from the capital, 120 are already at work in primary, secondary and vocational schools. National exams are scheduled to go ahead as scheduled this month but will be slightly delayed in some districts.

Meanwhile, schools in the district have inadequate sanitation systems and face shortages of basic resources, from furniture to writing materials to food for students."

WFP, 20 June 2006, p. 11

"Schools are currently closed in Dili with the exception of one private high school that has started classes in the last couple of days. The Dili district education office is currently conducting a survey of schools in Dili to see which have been looted or damaged; and which have principals and teachers still in Dili who are ready to report for duty. UNICEF is simultaneously contacting all district education officers outside of Dili to find out how many IDP students have enrolled in schools outside Dili. Data from the Ainaro district, for example, shows that so far only 15 students from Dili have enrolled there. The Ministry of Education has issued a directive ordering district schools to enrol any IDPs from Dili in local district schools."

ISSUES OF SELF-RELIANCE AND PUBLIC PARTICIPATION

Self-reliance

All groups in need of economic recovery assistance (July 2007)

- The April/May violence cause widespread destruction of private and commercial property with more than 3,000 houses destroyed and over 2,000 houses damaged.
- In the context of a worsening economy and high levels of unemployment, in particular for youth, almost the entire population is in need of support for resuming sustainable livelihoods. Only when this country-wide assistance will be forthcoming, can the IDP problem be solved.
-

OCHA, 17 July 2007, p. 22

"In addition to massive displacement, the crisis in Timor-Leste caused widespread devastation of private and commercial property, leading to a dramatic decline in the economy and a sharp increase in unemployment and poverty. The latest assessments show that 3,119 houses were destroyed and 2,242 damaged¹⁶. Apart from IDPs as a group, other vulnerable groups were also severely affected. Youth unemployment has increased significantly.

Shelter assistance and the promotion of community dialogue must be coupled with the provision of support for resuming sustainable livelihoods across the country if a settlement of the IDP situation is to be achieved. The provision of livelihood assistance will need, however, to target both returning IDPs and the members of the host community, especially those with socio-economic profiles similar to those of the IDPs. Vulnerable groups such as female-headed households will need to be accorded high priority. This is essential if the return of IDPs is not to lead to tensions and conflict in the communities. The uneven treatment of IDPs and equally poor people in communities was a recurrent theme of concern raised by Community-Based Organisations (CBOs) and Suco chiefs during a recent UNDP Bureau for Crisis Prevention and Recovery (BCPR) mission to Baucau. Equally important, the planning and implementation of livelihood actions will need to be undertaken in close collaboration with community leaders and elders."

Majority of IDPs report significant losses of household assets (June 2006)

- The April/May unrest had a significant and immediate impact on the livelihoods and household food security of the population of Dili.
- 70 per cent of IDP interviewed reported significant losses of household assets such as stored food, poultry, pigs, money and other goods (e.g. radios, TVs and stoves)
- More than 30 per cent of respondents reported a looted or destroyed house.
- 20 per cent of households in Dili lost significant household assets, while 15 per cent lost radio, TV and stove.
- Nearly 50% of households that previously had poultry no longer have any.

WFP, 30 June 2006, pp. 4-10

"The initial findings of the EFSA indicate that the recent civil and political unrest has had a significant and immediate impact on the livelihoods and household food security of the population of Dili. Over 63,000 people have been displaced and are living in IDP sites within Dili; while a further 78,000 people have sought refuge in the outside districts, living mainly with relatives but also in sites in three districts.

(...)

70% of respondents report significant losses of household assets such as stored food, poultry, pigs, money and other goods (e.g. radios, TVs and stoves).

The unrest has had a large impact on housing with more than 30% of the assessed households reporting their homes have been looted or torched.

(...)

The figure below shows the limited assets that households in Dili owned before 28 April. 20% of households have lost essential household assets such as beds and tables. 15% have lost their radio, TV and stove.

The most commonly owned livestock before the conflict were pigs and poultry (figure 2). In Timor Leste, animals are a form of savings that are sold when money is needed. Nearly 50% of households that previously had poultry no longer have any. The questionnaire did not cover possible reasons for lost animal assets. For households to replace lost savings in the form of husbandry will take time as they also have to replace lost household assets mentioned above."

More than half of surveyed households reported no primary livelihood activity (June 2006)

- Only 5 % of surveyed households reported having access to agricultural land, while more than a third reported having a kitchen garden, although only 9 per cent had access to them.
- 57% of households replied not having a primary activity now indicating a very large loss of livelihood activity and inability to earn money

WFP, 30 June 2007, p. 15

"Households were asked if they had access to agricultural land and if they had a kitchen garden. Only 5% reported having agricultural land while 36% reported having a kitchen garden. Only 9% of these households reported having access to their agricultural or kitchen garden currently. Crops usually grown in the kitchen gardens are alternative staples such as cassava but also sago. Fruit trees are a common reply such as papaya and mango. Households were in addition asked about their four main livelihood activities over the last year, and their four current main livelihoods since the crisis.

Before the crisis, the most common primary activities were:

Local trading (26% of HHs),

Salaries/wages (26% of HHs),

Small scale household gardening (11% of HHs).

Secondary, third, and fourth activities were infrequently cited, but most commonly included local trading and handicrafts.

After the crisis, the most common primary activities were:

Local trading (15% of HHs),
Salaries/wages (14% of HHs).

However, 57% of households replied not having a primary activity now indicating a very large loss of livelihood activity and inability to earn money."

Public participation

PROPERTY ISSUES

General

An estimated 5,000 houses destroyed or damaged during the riots (July 2007)

- UNDP assessment showed 3,119 houses destroyed, 2,242 damaged by 2006 unrest and many other houses illegally occupied, leaving an estimated 30,000 people homeless.
- For IDPs, priority has to be given to addressing land and property rights issues including the establishment of adequate compensation and property restitution mechanisms in the context of wider land law reform
- 75% of IDPs in tents have had their homes destroyed or damaged
- An overwhelmed and non-functioning judicial system is increasing the sense of impunity

OCHA, 17 July 2007, pp. 7-31

"Government/United Nations Development Programme (UNDP) assessments³ show that 3,119 houses were destroyed, 2,242 were damaged and many more undamaged but illegally occupied, leaving an estimated 30,000 people homeless⁴.

(...)

One of the key issues for IDPs or other vulnerable groups at risk relates to land and property rights including the establishment of adequate compensation and property restitution mechanisms in the context of wider land law reform. Significant progress is yet to be made with addressing these entrenched elements. For most of the displaced population, returning to their homes is not yet an option. The UNDP December 2006 assessment of 4,000 families in IDP camps⁵ revealed that 45% had their homes completely destroyed and a further 33% damaged. Further assessments (see table below) have added to the picture.

(...)

The majority of IDPs displaced to Dili by the crisis found refuge in church or Government compounds, which were not designed for sheltering large numbers of people. While IDP numbers have reduced substantially over the past year, continued insecurity within Dili has meant that large numbers of people are still residing in these spontaneous camps, with even more living outside the camps in makeshift arrangements in or on property belonging to others. The camp-based IDPs are living primarily in tents, often in crowded and sub-standard conditions due to site constraints. Current data indicates that over 75% have had their homes damaged or destroyed and will be unable to leave the camps without additional housing assistance."

OCHA, 16 January 2007, pp. 8-9

"According to an ongoing comprehensive assessment of damaged houses, at least 3,197 homes are known to have been destroyed (1,846) or damaged (1,351) in Dili during the crisis. The same survey will now be carried out in the districts. Estimates suggest that some 14,000 of those currently displaced in Dili no longer have homes to return to. There is also a considerable number of land and property disputes that the legal system has been unable to address. The judicial system is generally overwhelmed due to limited human resources, structural constraints and a significant increase in criminal cases arising from the crisis. The backlog of cases awaiting prosecution, which was a concern even before the crisis, has now surpassed 2,500. This, combined with significant gaps in legislation, increases the sense of impunity and widespread lack of confidence in the judicial system."

WFP, 30 June 2006, p. 9

"In terms of housing the current unrest has had a huge impact, which will have long-term effects on the household economy and their capacity to rebuild their livelihoods. Amongst the 256 households included in this assessment:

13% of households in the sample report their home had been torched
6% of households in the camps
23% of households in the Aldeias

36% of households in the sample report their home had been looted
30% of households in camps
42% of households in Aldeias"

Absence of a land regulation, registration and titling system continues to cause uncertainty over property rights (June 2006)

- Since 2002, efforts have been made by the government to create a legal and regulatory framework governing land and property ownership, but has been delayed by a lack of capacity and slow decision-making.
- Absence of a land regulation, registration and titling system in Timor-Leste continues to cause uncertainty over property rights.
- Land titling system has been underway but its implementation has been hampered by complex unresolved conflicts over land titles

WB, June 2006, p.15

"48. The Government has been working since independence on the creation of a legal and regulatory framework governing land and property ownership, with substantial support from the USAID Land Law Project since 2003. The work done to date includes the preparation of a set of policy recommendations on leasing of state property, land dispute mediation, land rights and title restitution, and analysis on the Dili rental market and State agricultural land. An Immovable Property (umbrella) Law was promulgated (Law 01/2003), and Laws have been prepared on the Leasing of State Property (promulgated December 2004), Leasing between private parties (passed by Parliament May 2005) Land Dispute Mediation Decree-Law (draft with Ministry of Justice), Property System, Land Transfer and Registration, Pre-Existing Land Rights and Title Restitution (Draft), and Decree-Law for Control of Illegal Construction and Informal Settlements (Draft). Regulations for the promulgated laws have been drafted as have operational manuals and processes.

49. However the absence of a land regulation, registration and titling system in Timor-Leste continues to cause uncertainty over property rights and is one of the major constraints in the business environment. Lack of land title makes it very difficult to secure collateral for bank loans for personal or business purposes. Timor-Leste ranks 125 worldwide on the Doing Business Property Registration indicator, mainly because of the complexity and incompleteness of the legal and regulatory framework and the lack of capacity in the Land and Property Department. Experience around the world shows the major benefits of formalizing title for getting credit, for investing and for growth. This is a critical constraint which requires addressing as a top priority.

50. Although preparatory work on a land titling system has been underway in Timor-Leste for several years, the requirements are still complex and full implementation will depend on the resolution of conflicts over titles obtained during various periods in Timor-Leste's history. These include traditional land ownership structures dating back centuries, changes effected during the Portuguese and Indonesian occupations, the enforced uprooting of large sections of the population in 1999, and decisions taken during the UN transitional administration and under the rule of the present independent government. These uncertainties can be expected to continue until a new land titling system is fully designed and implemented. This will depend in turn on the completion of a cadastre, but progress on this so far has been very limited.

51. Completion of this complex framework has been subject to long delays, because of lack of capacity combined with slow decision making and the need to accommodate the different views of the many stakeholders. Three draft laws remain to be approved. The Directorate of Land and Property has been given full responsibility for land titling by Government but its capacity is limited and until the Pre-existing Land Rights and Title Restitution Law is approved it will not have sufficient jurisdictional authority to do its job.

52. Importantly, as with other aspects of the legal and regulatory framework, even when the legal and regulatory framework is complete, until the court system is functional, civil cases such as land disputes and contract enforcement are unlikely to be given priority over criminal cases by the court system."

Illegal occupancy of property regularized by 'special lease' agreements (December 2005)

- An archive of Land Claims and Disputes was opened in 2003 and recorded a total of 12,329 claims, the majority of which were lodged by foreigners. Most East Timorese did not lodge claim to property they believed to be theirs
- To address the problem of illegal occupancy, widespread in Dili, illegal occupants have been invited since 2004 to submit application to the government and were able to obtain 'special' lease agreements, resulting in the regularisation of their situation. Between 2004 and December 2005, 2,700 people out of 6,000 candidates received a lease.
- A cadastre of ownership registration was underway at the end of 2005

De Sousa Xavier, Pedro, December 2005, pp. 5-9

"After the promulgation of Law 1/2003, it was possible to create an archive of Land Claims and Disputes in East Timor. The law provided a period for presentation of documents claiming rights over land and property. This period was open for all citizens (national and foreigners), and resulted 5781 claims being lodged in East Timor and 6548 claims lodged in Indonesia, with small numbers in other countries (e.g. Australia, Portugal). Analysis of the claims recorded in East Timor, it was observed that the majority of the claimants are foreigners' individuals (72%). The percentage of national individual claimants is 26%, and from companies 2% of the total number of claims. Figure 2 presents these results.

It should be noted that many East Timorese did not lodge claim their own property, believing themselves to be the rightful and undisputed owner. In essence, the claims process was to set a deadline for claims by non-residents, in order that the government could then address such issues, and not have new (and perhaps conflicting) claims arriving over time.

According to some, the Constitution is not clear regarding the (pre-existing) rights available to foreign land owners. The resolution of the apparent uncertainty within the Constitution in relation

to land owned by foreign citizens (in the majority Indonesian and Portuguese) is the subject of the forthcoming Land Titles legislation.

Given the constitutional prohibition, foreigners with pre-existing land rights could be offered some land right being less than an ownership right, although it may be more definitive to provide foreign owners with a period to comply with the Constitution, by allowing them to sell property, or take out citizenship.

Normal Lease Agreements

The National Directorate of Land and Property celebrates, based on Law 1/2003, the lease agreements of State property. The celebrated lease agreements (about 400 at the present moment) render US\$ 1.8 million per year². As few property records exist there is the need for research, investigation and survey of each property prior to the government offering a binding lease to a tenant. In addition, there is no issued power of delegation to the National Director of Land and Property to actually authorise leases, and thus the Minister of Justice actually signs every Lease Agreement. The whole process sees lease agreements taking two to four months to be complete. The lack of competent technical staff and insufficient staff members, as well as the process, reflects the delay in the celebration of the Agreements.

Special Lease Agreements

The same Law (1/2003) defined, illegal occupancy. In this way, it recognised that the illegal occupants of State property or property under State administration could be regularised in the short term to overcome the problem of illegal occupancy, and give some comfort to those illegally, but necessarily, occupying property for need of shelter or business. After the promulgation of the law, approximately 6000 'illegal' occupants submitted applications to DNTP for regularization of illegal occupation. This regularization is undertaken by the celebration of a lease agreement with the State. The lack of technical staff to proceed to the elaboration of normal lease agreements evidenced that it would be impossible to solve the situation of illegal occupancy in a short time period.

It was, therefore, necessary to create an alternative process, similar to the normal lease agreements procedures, but with a modification in some of the steps, replacing them for simpler and faster procedures. In this way, a process of establishment of 'special lease agreements' was determined. [Ilyas, 2005].

The requisites to celebrate a special lease agreement are:

- Residential Use;
- National citizen;
- Property occupancy since 2000;
- Developed property (there is no special lease agreement on vacant land);
- Automatic Monthly rent of US\$ 10 (ten American dollars);
- 1 (one) year lease agreement, with automatically renewal for more one year.

(...)

Since the beginning of this 'Special Lease' project, in July 2004, to the present date, more than 2700 lease agreements have been entered, reverting about US\$86,000 to the State. There is an extremely high number of non-paying tenants (many tenants have no employment and use such properties for shelter [their own properties having been destroyed]) and whilst this is of some concern, DNTP is satisfied with the process, and will continue to pursue this practice across the whole country. One very redeeming factor of the Special Lease process is that the mere submission of an application form by a tenant is recognition that the tenant is not the owner and thus is an indication that such property will ultimately be one for DNTP to properly lease or dispose of when Land Registration takes place. There is also recognition by the community that

DNTP is the responsible authority in such matters, and this cements the authority of DNTP when later issues arise.

This Special Lease procedure is simple, without the need for substantial resources or staff. It continues to solve the situation of illegal occupancy that thousands of national citizens were facing. At the present, the project has been completed in one sub-district of Dili only, but is being extended to encompass all Dili sub-districts and, in the future, the entire country.

Future

The management of State Property is being undertaken by the National Directorate of Land and Property, and for the most part, processes are in place. From now forward, it is necessary to solve the issue of private property.

As referred previously, land titles issued during the previous administrations are in various forms, and different to those envisaged for the future. These ownership rights need to be integrated in to the new system, with the respective equivalence, but minding the nationality of the citizens.

How to return private property titles in East Timor?

The first step in private land rights is the promulgation of the Law which will decide how, when and what titles will be returned. It's expected that the law will be promulgated within the next twelve months..

The proposed property system will be a set of cadastre and ownership registration, undertaken together. The cadastre will begin with the use of orthophotomaps, obtaining and defining parcels identifiable from features visible marks on the maps. Areas without visible markers on the orthophotomaps, will be identified by conventional survey methods. Following orthophoto identification, and simple field verification of boundaries the material will be transferred to digital data, in the office, and maps prepared for public display.

As with other countries, the process of public display allows all people to see the boundaries of their own and neighbours properties, in a public and transparent process. All potential owners will be invited to present whatever documents and witness statements they have that can contribute as evidence of any land rights (mostly these persons will be those who did not submit claims previously). The data presented to DNTP will be scanned and saved in the archive of the National Directorate of Land and Property. This data will be matched and cross checked in reference to land parcels claimed, and subsequently used in the restitution of the titles, after the promulgation of the Law. The properties with boundary claims or disputed claims will be analysed and resolved by reference to the Land Commission. Disputes will be kept out of the regular court system, to ensure skilled land based decisions, and so as not to further clog the overburdened legal system."

Widespread destruction of houses in the wake of the 1999 independence vote (September 2000)

- Approximately 70 per cent of the buildings in Dili, both public and private, were destroyed and made uninhabitable
- Many have migrated to Dili in search of economic opportunities and have occupied houses previously inhabited by Indonesian settlers or soldiers who have fled
- Massive shortage of housing and widespread occupation of abandoned homes throughout East Timor is creating a serious threat to peace and stability

COHRE, September 2000, pp. 9-12

"East Timor's overall housing conditions are nothing short of deplorable. In Dili, Baucau, Alieu and other urban areas and towns which suffered damage, where concrete was used as a primary building material, all that remains standing in most houses are the four charred walls; the roof, doors, windows and contents have all been destroyed or looted. In Dili, approximately 70 per cent of the buildings, both public and private, were destroyed and made uninhabitable. The scale of the damage is difficult to imagine. Even compared to other post-conflict situations, the housing stock of East Timor has been utterly decimated. Although many have flocked to Dili in search of work and economic opportunities, much of the town itself still resembles a wasteland even a full year after the destruction.

In some neighbourhoods, street after street are comprised of nothing more than destroyed, burned out shells of buildings which were once home to thousands of Dili residents. Despite the destruction, however, where possible people have returned to their own houses even when heavily damaged. Others have occupied houses previously inhabited by Indonesian settlers or soldiers who have fled.

The occupation of abandoned homes is widespread throughout East Timor, and especially so in Dili given the scale of housing destruction there. The takeover of homes can create serious tensions, and if not handled properly by the authorities can result in unpleasant episodes when the original owner or tenant returns home to find their homes occupied by others with nowhere else to go. While it is accepted that original owners or tenants (insofar as they are officially recognised as such) must have a right to the eventual restitution of their homes, the occupation of their homes now is essentially humanitarian in nature, and a side-effect of a much larger problem that needs desperately to be addressed. Although there has been some abuse (some reports assert that a single family may be occupying up to five (or more) houses in the hope of eventually 'selling' or 'renting' the premises to persons and families in need), there is little malicious about most of the housing occupations that have taken place over the past year. People are simply creating their own housing solutions in an environment of severe housing shortages. Above all, it provides graphic evidence of a massive shortage of affordable, adequate and accessible housing. As in all other parts of the world, when affordable and adequate housing is not available people solve their own housing needs by whichever method they can. In East Timor this is done through one of the only means of self-help - occupying abandoned homes.

The massive shortage of adequate housing in East Timor is not only resulting in an overall national housing crisis, but it is also a serious threat to peace and stability. Many allegations have been made by returning families that large (and unaffordable) payment demands are commonly made by those currently occupying housing belonging to the returning owners for 'caring for the house' or for 'improvements made'. Some are taking an advance rent for two years from foreigners, who in turn are expected to repair and renovate the house, and use it as offices or residences. If the returning family either does not or cannot pay, the secondary occupants often refuse to leave.

Finding a fair and sustainable way of dealing with these issues before they become serious is a major challenge facing UNTAET. Under the proposed Land and Property Commission claimants can invoke legal procedures to secure the restitution of their homes and official recognition of residency rights. However, enforcing restitution decisions will be very difficult unless UNTAET embraces its housing rights duties and includes official competencies in the area of housing, and acts as the guarantor of housing rights in the country. Many current occupants told COHRE that they will be willing to move from homes claimed by the original occupants if they can maintain their dignity and are guaranteed by UNTAET some form of re-housing, resettlement to alternative land or the provision of compensation.

There are many policy options open to UNTAET for dealing effectively with the occupation of homes by squatters. To cite but one of many alternatives, when houses occupied by new occupants or where the housing in question was formerly utilised as military housing goes unclaimed, the dwelling could reasonably be treated by UNTAET as public property, with the occupants allowed to remain and eventually conferred tenure or ownership rights.

In rural areas the housing issues are somewhat different from those plaguing Dili and other small towns. Throughout the countryside of East Timor, where the majority of the population live without basic services and largely within a subsistence economy, houses are generally made from traditional building materials – bamboo, wood, and thatch. Such materials remain abundant and people generally repair their houses every few years, as they see fit. Traditional slash and burn farming, logging and use of trees for shelter and fuel have slowly depleted primary forests, however, and reforestation projects are clearly required in the country. Given the nature of the building materials used in rural areas, the militias had little trouble torching the easily inflammable houses of many tens of thousands of people. The first form of international assistance came in the form of plastic sheets and food. These measures were then followed by steps by UNHCR and others to provide emergency shelter kits to those who lost their homes during the militia rampage. Due to supply and accessibility problems, however, many people are still waiting for shelter kits. As a result, in some areas people have already rebuilt their houses using thatch and bamboo."

PATTERNS OF RETURN AND RESETTLEMENT

General

Political and security environment not conducive to a return of the displaced (July 2007)

- Lack of clear vision shared by the government and the international community on the handling of the IDP crisis
- Optimism that all IDPs would return during 2006 resulted in a lack of planning and allocation of funds to assist the displaced.
- In March 2007, the government did recognize that the situation was not conducive for returns and that the displaced were likely to stay in the camps throughout the year and possibly into 2008.
- Deep divisions, lack of progress in reconciliation and unstable political and security situation continue to hamper the return of the displaced

OCHA, 17 July 2007, p.8

"Following the initial political crisis and the resignation of Prime Minister Mari Alkatiri in July 2006, opinion remained divided as to whether political stability and improvements in security would create an environment conducive for the eventual return of IDPs to their homes. During the last quarter of 2006, neither the Government nor the international community shared a common analysis of the full dimensions of the crisis. This manifested itself through the lack of a clear vision (and allocation of funds) to allow forward planning for a continued and prolonged engagement with IDPs throughout 2007, and possibly beyond.

However, in March 2007, during a briefing with the diplomatic corps in Dili, then Prime Minister Ramos-Horta (now newly elected President) acknowledged that IDP camps were likely to remain "until at least the end of the year, and possibly into 2008". Despite earlier inconsistencies, the deep rooted complex nature of the crisis is now clear to all. To date, instability and low-intensity violence remain a constant feature in Dili, limiting IDP returns. The situation is complicated by an estimated 8,000 people who were displaced following a renewed round of violence in February 2007 (the first since the beginning of the initial crisis).

With the successful completion of the Presidential elections in May, Timor-Leste remains focused on legislative Parliamentary elections scheduled for 30 June. More broadly, the political power struggle reflects deep divisions in the society as a whole and there are fears that without a decisive resolution to the impasse the new Government will have great difficulties addressing the causes of the crisis. Ethnic divisions between people from the West (Loromonu) and the East (Lorosae) continue to fuel low-level violence among 'Martial-Arts Groups' and gangs in Dili. National dialogue and reconciliation initiatives have been stalled and scaled-back. Government efforts to encourage the movement of IDPs from camps⁷ to safer transitional locations have made little progress so far.

There are great expectations as well as uncertainties as to whether a new political environment post-June 2007 will be able to usher in a truly secure environment conducive to fostering wide-scale rehabilitation and reconciliation initiatives. There are also concerns relating to whether the Government will be able to secure and disburse the financial resources necessary to cover the

current humanitarian and development reconstruction efforts, with the continued support of the international community."

OCHA, 23 February 2007

"Although quick surveys have been undertaken in the new and old camps that received new IDPs, there is an urgent need for a comprehensive inter-agency assessment of all IDP camps to ascertain their current most critical needs, particularly in the new sites and in those at risk of flooding. The increase in number of IDPs in some of the existing camps is leading to overcrowding and straining services. There is a need to refocus our attention to all IDP camps instead of concentrating on the return and relocation of IDPs. Field visits indicated that most IDPs who had relocated or returned to the districts came back to Dili only a few days later and moved into other IDP camps."

Government's response vacillates between encouragement and ultimatums (March 2007)

- At the end of August, the government threatened the displaced to cut off humanitarian assistance if they didn't return by the end of September, but a month later this was dropped. A new deadline was set to end of November, but pushed back again.
- In early 2007, IDPs living in a camp near the airport protested with violence when the government set a deadline for them to leave the camp

Kammen & Hayati, March 2007, p. 2

"Official responses to the IDP problem vacillated between encouragement and ultimatums. In August, Minister of Labor Arsenio Bano publicly urged IDPs to return to their homes. A week later, however, following a violent attack on the IDP camp located across the street from UN headquarters, Prime Minister José Ramos-Horta threatened that if refugees did not return home by the end of September he would discontinue the distribution of humanitarian aid. The following month, Ramos-Horta changed his position, declaring that it was not mandatory for IDPs to return home after all. With the onset of the rainy season imminent, the Deputy Head of the new UN mission renewed the call for refugees to vacate the camps. Following on this, President Gusmão and other national leaders set a deadline of 20 November for refugees to return home. Despite these ultimatums the number of IDPs receiving food assistance provided by humanitarian relief agencies remained largely unchanged."

Japan Focus, 12 March 2007

"Despair peered at me through the chain-link fence separating the airport from a refugee camp of nearly 8,000 internally displaced people (IDP). From behind this forlorn facade of despair, angry IDPs threw rocks at security personnel and their vehicles guarding the air terminal. Visitors walking off the tarmac dashed to the safety of taxis with shattered windscreens and scarred bodywork amid a cacophony of projectiles pinging off metal.

My taxi driver explained that the government had declared the next day the deadline for the IDPs to leave the airport refugee camp.

It is a sign of the desperation in Dili that this miserable, flood-prone tent encampment along the fringe of the runway is deemed worth fighting for. It's more telling that those being asked to leave have nowhere to go.

The internally displaced were being encouraged to return to their homes or extended families, as the government worried that having settled in, the IDPs were becoming far too comfortable, with running water and regular meals at state expense.

Luiz Viera of the International Organization of Migration (IOM) told me that the government did not want to build alternative IDP sites because it feared sending the wrong message. The camps have become a tangible symbol of the government's failure to protect the public, and its inability to ease fears that violence will erupt again. Building new camps could be seen as a sign that the government was resigned to this situation.

Viera pointed out, however, that returning to their homes was not an option for people who had been driven from them, often by neighbors and gangs. Some of their houses have been burned down, others have been occupied, and fear remains a formidable obstacle to resuming life as it was.

Although the number of refugees has declined to around 100,000, Viera said his organization is braced for an influx this year, reflecting widespread pessimism about election-related violence.

Kerry Clarke from Oxfam said that the "fear factor" that prevails among IDPs, many of whom have lost everything, has become part of East Timor's social fabric. In her view, the east-west divide was "whipped up out of the blue" for political purposes, but now it has become reality because most of the IDPs are easterners, and dealing with their situation has become a divisive political issue."

Return of forcibly relocated communities to former land illustrates strong link between communities and ancestral land (November 2003)

- In Timor, there is a strong link between communities and ancestral land

Oxfam, November 2003, p. 27

"The strong link between communities and ancestral land is an important factor for customary management: Even in cases, where entire communities such as Uma Tolu were removed from their original village (which was fully destroyed more than 24 years ago) people have established new settlements and agricultural systems in their new location, thereby maintaining strong connections to their original ancestral lands. Consequently, a significant part of Uma Tolu's population have returned to their ancestral territory. They are returning despite the difficulties posed by the remoteness and lack of roads and government services in their ancestral area. This situation is occurring in numerous locales where the case studies were undertaken suggesting a general pattern of population movement of communities who have been forcibly resettled back to their ancestral land.

Because customary belief systems in Timor Leste tie ancestors to their place of origin, when communities have to make offerings for planting or harvest ceremonies, they are paying tribute to the ancestors of the land. Some customary communities find the worship of other ancestors on their land by 'outsider' communities to be more troublesome than the actual presence of the 'outsiders' who are using the land. They are concerned that the ritual ceremonies typically performed for planting and harvesting by these 'outsiders' are directed at the wrong ancestors. Some communities have outlawed ritual ceremonies to ancestors from elsewhere. This is understandable given the strong role which respect for ancestors and local beliefs play in maintaining customary authority. This demonstrates the importance of the connection between communities and their ancestral land, the strength of which forms the basis for effective customary management of land and natural resources."

Return movements

Only 1/3 of the displaced has returned home (July 2007)

- As of July 2007, nearly 5,000 IDPs have been assisted by the government to move out of the camps.
- As of February 2007, it was estimated that 40,000 people had returned to their homes.
- The remaining 100,000 IDPs are likely to remain displaced for some time or even resettle in the east

ECHO, 21 February 2007, p. 2

"At the height of the crisis in April and May 2006, an estimated 140,000 people (i.e. 15% of a total population of 900,000 people⁶) fled from their homes to improvised Internally Displaced People (IDP) camps. An estimated 40,000 people have returned home since, partly due to the efforts of the GoTL and the humanitarian actors to support IDPs' return, resettlement and reintegration through community dialogue. The beginning of the rainy season, making living conditions in some camps very difficult, is another factor enticing IDPs to return.

However, the GoTL estimates that there still are about 100,000 IDPs in the country, about 30,000 in camps in Dili, and the other 70,000 - mainly Easterners – outside the capital.

It is expected that the majority of IDPs will remain displaced for some time and that many of those that have fled to the districts will permanently resettle in the East, since they fear continuing violence in Dili or are unable to return to their homes, which have been destroyed or damaged. Unresolved property disputes, the perceived division between Easterners and Westerners as well as the lack of progress with reconciliation are additional contributory factors."

As of 17 July 2007, a total of 4,824 IDPs have been assisted by the government to move out of the camps. Each family is given a return package which includes transportation, building materials and food supplies.

Between September 2006 and June 2007, a total of 4,000 IDPs (or 568 families) were assisted by the government to move out of IDPs camps. The map below shows these IDP movements and the districts of destination. For more details on return movements, see also: "[IDP return statistics](#)", MTRC, 17 July 2007.

Source: OCHA, June 2007

Temporary relocation to transitional shelters

IDPs to be relocated to transitional shelters as an interim measure (July 2007)

OCHA, 17 July 2007, p. 18

"Over the next six months a concerted inter-agency approach is needed for implementation of significant upgrades to camps. The planned relocation of IDPs to transitional shelter sites will require close support and follow-up by camp management agencies to ensure that IDPs are able to make informed decisions about movement to upgraded shelter arrangements. Furthermore, camp management agencies must continue to fill gaps in service delivery for general camp maintenance and upkeep, such as the provision of lighting, maintenance of Watsan installations, as well as fencing.

Sizable fluctuations in the number, composition and movement patterns of IDPs are expected over the next 18 months. Periodic gang violence and political uncertainty in the post-Parliamentary election period could lead to additional displacement. Camp numbers routinely fluctuate as persons displaced from Dili to the districts use Dili camps as a stepping stone for return to Dili. The delayed reconstruction of over 5,000 houses, the unwillingness of several communities to accept returns, and the perception of insecurity by IDPs are all factors presenting obstacles to return. Strong in-camp support by camp management agencies is thus essential to ensure that the safety and dignity of the IDP population is maintained while durable solutions are sought."

OCHA, 14 March 2007

"In addition to the existing 337 transitional shelter units, the Norwegian Refugee Council (NRC) has capacity to build another 160. The Inter-Ministerial Committee is considering the construction of transitional shelters for IDPs in Metinaro, and will therefore start negotiations with the surrounding communities regarding the use of the land for this purpose for 1-2 years."

IOM, 28 February 2007, p. 1

"At the beginning of the crisis in April/May 2006 many displaced families were accommodated in religious institutions, schools or stand alone camps. Many displaced families are unable to return to their places of origin for a variety of reasons e.g: increased security incidences; either their homes are damaged or burnt; and furthermore present camps are also the target of several security problems and the viability of managing these camps in their current location are no longer sustainable. Therefore, the Government is pursuing several options one of which is the relocation of displaced families to transitional shelters as an interim measure while seeking durable solutions for the displaced population. To this end the assessment was carried out.

The objective of the transitional shelter sites is that at the end of the emergency assistance phase, shelter will need to be addressed in a more sustainable way. The sites will thus be used for the purposes of accommodating IDPs who will be relocated from various camps in Dili."

UNSC, 1 February 2007, p. 16

"52. It is likely that the crisis with regard to internally displaced persons will continue for some time owing to a number of underlying factors. More than 2,200 houses have been destroyed and more than 1,600 damaged. This means that, in the near future, more than 20,000 persons will remain without a home to return to. The Government has designed transitional shelter plans for families whose houses have been destroyed and will assist with construction material for damaged houses. However, current construction plans address only a small percentage of shelter needs, and complex land and property issues complicate the return and reintegration, as does the verification of compensation claims. Furthermore, until the underlying causes of the situation of insecurity and political crisis are resolved, the potential for durable solutions will remain uncertain given the persistence of genuine fear among internally displaced persons about security in areas of return."

IDP families move to transitional shelters (July 2007)

NRC, 17 July 2007

"95 internally displaced families have now moved out of poor shelter conditions from the IDP camp inside the only national hospital in Timor Leste, to the transitional shelter in Becora, Dili.

After a year living as IDPs in a poor shelter, with almost nothing, 95 families like Juvita Soares are now a little bit closer to a solution, even though the deep problems of Timor Leste are not easy to solve.

(...)

The shelters are all constructed by the Norwegian Refugee Council with funding from the Norwegian Ministry of Foreign Affairs. Additionally, NRC is building seven camps like the one where Juvita Soares is living, in order for several hundred families to move out of poor tents to temporary homes, while durable solutions are sought."

OCHA, 23 February 2007

"Transitional Shelter units built by the Norwegian Refugee Council in Tasitolu, Hera, and Tibar have been handed over to the Government, while the transitional shelter in Becora is being finalised. The Shelter Working Group has proposed to identify additional transitional shelter sites to accommodate IDPs living in the most critical camps such as those posing security threats or at risk of flooding.

Some families have moved to Quarantina site at Tacitolu and arrangements for other IDPs to move to the transitional shelter sites are being finalised. A 24/7 UNPOL presence at the site is being established, in order to ensure that IDPs find them a better option than staying in IDP camps. After the spontaneous partial occupation of the transitional shelter units in Tibar, MTRC is planning an assessment to ensure its allocation in accordance with vulnerability criteria."

Obstacles to return and resettlement

The majority of the IDPs in camps have had their homes destroyed or damaged and cannot return (July 2007)

- An estimated 30,000 are homeless because their homes have been destroyed or damaged during the 2006 unrest

OCHA, 17 July 2007, pp. 7-31

"Government/United Nations Development Programme (UNDP) assessments³ show that 3,119 houses were destroyed, 2,242 were damaged and many more undamaged but illegally occupied, leaving an estimated 30,000 people homeless⁴.

(...)

One of the key issues for IDPs or other vulnerable groups at risk relates to land and property rights including the establishment of adequate compensation and property restitution mechanisms in the context of wider land law reform. Significant progress is yet to be made with addressing these entrenched elements. For most of the displaced population, returning to their homes is not yet an option. The UNDP December 2006 assessment of 4,000 families in IDP

camp⁵ revealed that 45% had their homes completely destroyed and a further 33% damaged. Further assessments (see table below) have added to the picture.

(...)

The majority of IDPs displaced to Dili by the crisis found refuge in church or Government compounds, which were not designed for sheltering large numbers of people. While IDP numbers have reduced substantially over the past year, continued insecurity within Dili has meant that large numbers of people are still residing in these spontaneous camps, with even more living outside the camps in makeshift arrangements in or on property belonging to others. The camp-based IDPs are living primarily in tents, often in crowded and sub-standard conditions due to site constraints. Current data indicates that over 75% have had their homes damaged or destroyed and will be unable to leave the camps without additional housing assistance."

OCHA, 16 January 2007, pp. 8-9

"According to an ongoing comprehensive assessment of damaged houses, at least 3,197 homes are known to have been destroyed (1,846) or damaged (1,351) in Dili during the crisis. The same survey will now be carried out in the districts. Estimates suggest that some 14,000 of those currently displaced in Dili no longer have homes to return to. There is also a considerable number of land and property disputes that the legal system has been unable to address. The judicial system is generally overwhelmed due to limited human resources, structural constraints and a significant increase in criminal cases arising from the crisis. The backlog of cases awaiting prosecution, which was a concern even before the crisis, has now surpassed 2,500. This, combined with significant gaps in legislation, increases the sense of impunity and widespread lack of confidence in the judicial system."

Continued violence, poverty and lack of progress with reconciliation and justice hamper return of IDPs (January 2007)

- Damaged or destroyed houses and continuing violence are major obstacles for the return of the displaced.
- In October 2006, the government proposed a plan to assist IDPs wishing to leave current IDP camps, which included six options: return to the place of former habitual residency; move to other existing camps; move to a newly established short-term shelter site; move to transitional shelter for persons whose homes have been destroyed; temporary or permanently move to another district; or move to another site or host family in Dili
- The main obstacles to return are: volatile security situation, lack of progress with reconciliation and justice, destroyed/damaged houses and unresolved land and property disputes, perceived divide between east and west, Socio-economic factors

OCHA, 7 January 2007, pp. 10-11

"Continuing violence in Dili, although at much lower levels of intensity, has failed to reassure many of the displaced people, and a significant number of them are unable to return because their homes were destroyed or damaged during the violence. There have been incidents of attacks on IDPs in camps and gang violence has been fuelled within the camps themselves. Besides, ten IDP camps in Dili have been identified as being at high risk of flooding and vulnerable to disease outbreaks. The Government maintains that violence against IDP camps is of a criminal rather than political nature, and plans to close down the four most critical camps for security and public health reasons¹⁸.

(...)

Although significant secondary movements between camps and communities of origin and between Dili and the districts continue to be observed, IDPs are generally reluctant to return, relocate or resettle elsewhere, alleging security reasons and requesting compensation for lost property. In order to facilitate this exercise, an "Operational Plan" for assistance to IDPs wishing to leave current IDP camps²⁰ was developed by the Government in October, in close consultation with the IASC, UNMIT and the International Security Forces.

The plan provides six options for IDPs wishing to leave their current place of displacement including: return to the place of former habitual residency; move to other existing camps; move to a newly established short-term shelter site; move to transitional shelter for persons whose homes have been destroyed; temporarily or permanently move to another district; or move to another site or host family in Dili. The Operational Plan, which started being implemented in December with the onset of the wet season, also contains a detailed return or relocation package.

Despite all ongoing efforts to promote the return, resettlement and reintegration of IDPs, this issue is far from resolved, as the majority are expected to remain displaced for the next months to come. IDPs reluctance or inability to return, relocate or resettle in other sites or districts, is substantiated by a number of reasons, some of which are outlined below:

a) Volatile security situation. Despite the establishment of police stations and posts throughout Dili and 24-hour patrolling, and the presence of PNTL in the districts, violence between gangs of youths continues on an almost daily basis. There is a high risk of escalation of the conflict in the run up to the elections, particularly in Dili.

b) Lack of progress with reconciliation and justice. Although the Simu Malu process has resulted in some returns, community reconciliation requires more time. Most IDPs remain cautious and are waiting to see results before they have the confidence to return. There is also a lack of confidence in the judicial system and a widespread sense of impunity.

c) Destroyed/damaged houses and unresolved land and property disputes. At least 1,846 houses were destroyed and 1,351 damaged in Dili during the crisis.²¹ According to the Government, 20% of the displaced population have no homes to return to. House ownership changed during the Portuguese and Indonesian occupations, leading to unresolved property disputes, illegal occupation of houses, and more recently to retaliation acts including burning of entire compounds. Conflicts between neighbouring communities persist, with a critical lack of legislation in this area. There are reported cases of returnees who go back to camps to improve their chances of property compensation, encouraged in some cases by camp leadership.

d) Perceived divide between east and west. The crisis came to a head in May 2006 when F-FDTL petitioners alleged discrimination on the basis of their origins. Lack of trust between the two communities persists.

e) Socio-economic factors. Limited access to basic social infrastructures and services, lack of employment opportunities, income generation and other activities in the areas of return are a great impediment to IDP return. There is an urgent need for sustainable actions in order to reduce dependency on humanitarian assistance, facilitate the reintegration of displaced populations, and foster peaceful co-existence with hosting communities."

OCHA, 6 September 2006

"4. As noted over the previous weeks, a large number of IDPs only spend the night in the camps and run their normal business during the day, with families returning to their homes. It is not known how many IDP families have returned to their former homes, as most families still keep a

'sit' in the camps as a safety net in case the situation deteriorates again in their home area. Some had gone back to their areas but returned to camps as they were either threatened or attacked by their former neighbours. After several attacks in and around the camps, more than two thirds of the IDPs sheltered at the Obrigado Barracks camp opposite the UNMIT headquarters in Dili left the camp (2,000-3,000); some went home and some joined other camps in Dili.

5. As a result of the unstable security situation, most of the IDPs do not feel safe enough to return home. IDPs continue to express their disappointment that the main issues behind the April/May crisis have not been resolved: justice, impunity, weapons among the civilian population, unresolved land and property issues; all those issues influence the perception of the East-West divide."

OCHA, 9 August 2006

"It is estimated that about 72,000 people are receiving food aid in Dili camps as of early August. It is not clear how many IDPs are still in the districts with host families or in camps outside of Dili, including in Baucau. There are many reasons why IDPs have not yet voluntarily returned home. The principal one is that the IDPs do not believe that the root causes of the conflict including land and property disputes, have been resolved. Furthermore, damage to the residential areas, continuing East/West divide, and rumours of illegal weapons still unaccounted for adds to the sense of insecurity. Therefore only few have returned to Dili from the districts, leaving part of the family (women/children), behind while others overnight in IDP camps while accessing their day jobs in Dili. Other families are awaiting more favourable conditions before they return, postponing their movement even until after the elections, scheduled for May 2007."

HUMANITARIAN ACCESS

General

UN agencies and NGOs targeted in new round of violence (August 2007)

OCHA, 21 August 2007

"10. Significant parts of the displaced population are reportedly scattered in forests and mountain areas, to which access is difficult. In order to gain access to these populations and provide assistance, an inter-agency assessment mission with United Nations helicopters to Watulari and Uatucarbau was scheduled to take place on Saturday, 18 August 2007. As heavy rains had made the roads in the area impassable, the assessment mission had to be rescheduled to Thursday, 23 August."

Trocaire, 21 August 2007

"With enhanced security in place, movement for international agencies into these areas has been restricted and this will make it more difficult to deliver humanitarian relief by road.

There have been attacks on stores of food, equipment to assist local farmers and the offices of both local and international NGOs. This has included Trócaire's local partners. In Baucau, the office and preschool premises of the Caritas organisation was attacked forcing a temporary closure and the office of Catholic Relief Services (CRS), Trócaire's sister US organisation was also burnt and destroyed."

UNAMET, 11 August 2007

"The ambush on three UN vehicles was perpetrated by a group of people between the villages of Fatumaka and Gariuai. Personnel travelling in the convoy included four UNPol officers, two national police of Timor-Leste (PNTL) officers, an UNPol language assistant, two national staff members and an NGO worker.

During the incident, which involved stone throwing and reported gunshots at UN vehicles, one UNPol vehicle was also set ablaze by the criminal elements. There were no injuries."

OCHA, 11 August 2007

"3. In Baucau, 24 buildings have been destroyed this week. On 6 and 7 August, government, church, UN, and NGO facilities in Baucau district had been burnt and attacked. The situation remains tense and government offices, schools and shops are closed. In Venilale sub-district, 11 houses burnt to the ground, in Quelicai, 3 houses were destroyed.

4. Between Baucau and Viqueque, a convoy of 3 UN vehicles was ambushed yesterday. The incident involved stone throwing and gunshots at the vehicles. One UNPol vehicle was set

ablaze. Illegal roadblocks between Baucau and Viqueque had been erected since the beginning of the week.

(...)

8. Due to the tense security situation in Baucau and Viqueque access to the displaced populations is limited at the present time. Preparations are being made by the humanitarian community for a timely humanitarian response to the affected populations as soon as the security situation allows. Aid organizations are monitoring the situation of humanitarian needs and indications of further displacement.

9. Today, OCHA and IOM were able to reach the area by helicopter for a rapid preliminary assessment. The Government of Timor-Leste has provided 5mt of rice to be distributed in Viqueque and Uatucarbau tomorrow morning. The United Nations (UNMIT, WFP, OCHA) are providing air transport and facilitation. A preliminary food needs assessment will be undertaken."

Volatile security situation reduces humanitarian access (March 2007)

OCHA, 14 March 2007

"With the deterioration of the security situation, humanitarian access for NGO and UN operations had been significantly reduced, which raised serious concerns. The provision of essential services to IDP camps as well as movement to districts and rice deliveries to address the rice shortages in the markets had been limited. Due to the improvement in the security situation, operations resumed during the course of the week. The potential for further violence raises concerns regarding humanitarian access, security and protection for both IDPs and humanitarian staff."

OCHA, 23 February 2007

"The escalation of violence has on several occasions hampered access to IDP camps and affected mainly the provision of water and sanitation services, thus making water trucking more expensive, as very few camps have their own sources of water."

Herald Sun, 26 May 2006

"GANGS of armed youths were threatening to attack compounds in East Timor's capital Dili where thousands of refugees were sheltering, aid agency World Vision said today. World Vision chief executive Tim Costello said lawless gangs armed with knives, bows and arrows and possibly guns were blockading at least two compounds containing people who had fled the violence in Dili.

"The situation is extremely volatile and there are fears that the violence is continuing to spread," he said. "There has been constant gunfire around World Vision's headquarters in Dili, greatly restricting our ability to deliver aid."

Mr Costello said there were also grave fears held for the safety of a national staff member who might have been killed in the recent fighting. World Vision is working in three compounds with up to 25,000 internally displaced people.

Mr Costello said two of these compounds – the Don Bosco School and Community Centre and the Cannossian Convent, in the Balide District of Dili – were being blockaded by the armed gangs."

Unstable security situation compounded by limited international presence outside Dili (January 2007)

ECHO, 21 February 2007, p. 3

"The international and Timorese police and military forces have not proved able to contain the violence so far. There are many unsafe areas in the capital Dili, where frequent clashes happen. IDP camps are regularly attacked and violence between gangs of youths continues on an almost daily basis. The humanitarian workers are not completely safe either, as evidenced by the stabbing to death of a UN interpreter on 10 December 2006.

This adverse security situation is likely to continue in the run-up to the elections in mid 2007 due to political tensions, increasing inter-gang rivalry, criminality, a general climate of impunity, and weaknesses of the judicial system. A worsening of the security situation would have a negative impact on the capacity of humanitarian actors to reach and provide assistance to the displaced and affected communities, especially in the districts."

OCHA, 16 January 2007, p. 7

"Following a request by the Government, international forces were deployed to Timor-Leste on 25 May 2006 and have remained in the country since that time. In August, the UN Security Council voted to establish the United Nations Integrated Mission in Timor-Leste (UNMIT) and a 1,600-strong international police force began to replace the Australian-led military force. The mission is mandated "to facilitate the provision of relief and recovery assistance and access to the Timorese people in need, with a particular focus on the segment of society in the most vulnerable situation, including internally displaced and women and children" 3.

UNMIT is responsible for overall security in Timor-Leste, with PNTL still active in several districts. Policing in Dili is the responsibility of UN Police (UNPol), accompanied by screened PNTL and supported by international security forces. A UN Independent Special Commission of Inquiry was established to investigate the events leading up to the conflict and reached the conclusion that "the fragility of various state institutions and the weakness of the rule of law were the underlining factors that contributed to the crisis."⁴ Recommendations were made regarding prosecutions and areas requiring investigation.

The fragile security situation could worsen in the run-up to the elections due to political tension, intergang rivalry, criminality, a culture of impunity, weaknesses in the judicial system and delays in the implementation of the recommendations made by the Commission of Inquiry report. The situation is confounded by the absence of a comprehensive government public information strategy and the limited presence of UNMIT and humanitarian partners in the districts. There are fears that greater humanitarian actions in the districts in the coming year may expose staff and programmes to greater security risks."

Gaps and duplications in the security systems reduce effectiveness of protection afforded to humanitarian agencies (January 2007)

OCHA, 16 January 2007, p. 29

"This Sector concentrates on the impact of security on humanitarian action. Since May 2006 agencies have increased the number of staff and their programmes, in Dili and in the districts. At the same time, levels of violence and instability have fluctuated, but the peaks of violence are

steadily reducing. Although humanitarian partners have not as yet been specifically targeted, agency staff and programmes have been negatively affected.

As aid agencies increase their activities in the districts, and therefore their exposure, it is expected that the security risk to the humanitarian community and their activities will increase in the early part of 2007. This risk is countered to some extent by the deployment of UNDSS and UNPol officers in Dili and in the districts. However, as food insecurity increases due to El Nino and late rains, the most affected areas are remote, and agencies will be vulnerable and open to targeting by frustrated populations. Agencies distributing food are particularly at risk if changes in Government distribution policies are not well communicated/received. In general, the agencies most at risk are NGO implementing partners of the Government or UN Agencies, as they have limited access to security information and procedures, and are not Minimum Operational Residential Security Standards / Minimum Operational Security Standards (MOSS/MORSS) compliant.

Until rule of law is established in Dili, which is dependent not only on the presence of a police force, but also on an effectively functioning judicial system, humanitarian staff and operations remain at risk of attacks by gangs operating under a sense of impunity. Under UN Security Council Resolution 1704, UNPol has full responsibility for security in Timor-Leste. With a full strength of 1,600 officers in country (60% in the districts), their ability to prevent violence should increase. However, UNPol is still limited in its capacity to react to multiple incidents, and does not have a specific mandate to provide security specifically for the humanitarian community's needs.

Humanitarian staff currently relies on Agency Security Focal Points for their advice, training, equipment, information and security procedures. The levels of compliance vary across the agencies. UN Staff are covered by UNDSS and MOSS and MORSS. UNDSS is expected to have a full strength of 60 people in 2007, and are in the process of deploying Field Security Officers into district offices. UNDSS manages the SOC, the day-to-day Security Operations Centre responsible for staff tracking, passing security information and responding to incidents involving UN staff. UNDSS holds daily security meetings with some agency focal points and a weekly security focal point meeting for all agencies.

There are a number of organisations with security responsibilities, each with their own operations centres. There is no central coordination mechanism between the Security Operations Centre (SOC), the Joint Operations Centre (JOC), the Joint Mission Analysis Centre (JMAC), National Operations Centre (NOC), the International Stabilisation Force Headquarters, and the soon to be established Disaster Operations Centre (DOC). In lieu of a single national operations room, and due to the newness of many of these organisations, there are gaps, duplications and inefficiencies within the system. This reduces the level of effectiveness of response and protection afforded to humanitarian agencies, with the NGOs being the most vulnerable."

Oecussi enclave more isolated than ever following April-May unrest (June 2006)

WFP, 30 June 2006, p. 7

"In February 2006 the Oecussi enclave, with a total population of 58,500 faced an emergency situation due to consistent heavy rains that resulted in floods and widespread landslides causing extensive damage. Maize and rice productions suffered major damage. Considering that most areas of the enclave only have one crop season per year, Oecussi has had limited capacity to

recuperate as most irrigation infrastructures were washed away by the floods or the landslides. WFP, with a sub-office in Oecussi assessed the impact and responded to the emergency with BP5 biscuit distribution to school children during a limited period.

Since the political unrest started, Oecussi is more isolated than ever as Indonesia has closed its border. Oecussi normally imports a large amount of goods from Indonesia, which now has stopped. The ferry between Dili and Oecussi has also suspended its services due to the political instability. There are currently 2,300 IDPs hosted by relatives in the enclave. Oecussi had the highest malnutrition rates in the 2002 MICS 8 survey. Special attention by the humanitarian community and the government is hence needed to assure that the nutritional situation is kept under control."

NATIONAL AND INTERNATIONAL RESPONSES

National response

National response

The efforts of the Timor-Leste government to assist its displaced population can be described as sincere, but limited both in terms of operational and financial capacity. The 2006 unrest and the resulting instability further weakened already fragile state institutions which proved unable to cope with the challenges created by the violence and the displacement of nearly 15 per cent of the country's total population. Despite its readiness to assist IDPs and create conditions conducive to their return and reintegration, the root causes have still not been addressed. Understanding of IDPs needs, and coordination and planning of assistance have been hampered by a clear lack of institutional capacity, in particular in the eastern districts, where humanitarian presence has been limited or diminishing (OCHA, 17 July 2007, p.20).

Lack of funds has also hampered the government's overall humanitarian response, as the process of approving the 2008 budget is reported to be limiting the government's current capacity to respond to the urgent humanitarian needs resulting from the August 2007 displacement in eastern districts. Revenues from the offshore gas and oil fields, which are placed in a petroleum investment fund, now amount to \$1 billion and have allowed the government to significantly boost the level of spending in its 2006/2007 budget. Weak capacity has, however, been a major obstacle to the implementation of the government programmes. Despite the scale of the humanitarian crisis, the IDP issue has not featured very high on the agenda of the main political parties and was largely absent from the main issues discussed during both the presidential and the parliamentary election campaigns (ICG, 13 June 2007, p.8).

Acknowledging that no return and reconstruction program would be sustainable without first restoring of security and trust between communities, the government has focused its "Simu Malu" (mutual acceptance) return and reintegration strategy on ending violence in the villages and urban neighbourhoods, conducting protection and reconciliation activities through community dialogue, and facilitating the return of the displaced to their homes (OCHA, 16 January 2007, p.8). Led by the Ministry of Labour and Community Reinsertion (MTRC), an inter-ministerial committee was created to coordinate the government response in the key areas of security, reconciliation and humanitarian assistance (MTRC, August 2006, p.3). In the wake of the February 2007 renewed violence and displacement, a national contingency plan for new displacements was established by the MTRC and the National Disaster Management Office (NDMO) (OCHA, 14 March 2007).

Responsibility for the monitoring and protection of the displaced lies with the Office of the Ombudsman for Human Rights and Justice (the "Provedor"), which has only been operational since March 2006 and is still of very limited capacity. During 2006, the Provedor conducted human rights monitoring missions in IDP camps, assisted by UNMIT's Human Rights and Transitional Justice Unit (HRTJ) and the Human Rights Monitoring Network (RMDH), a network of Timorese NGOs. In November 2006, the Provedor, UNDP and UN Human Rights agency (OHCHR) signed a three-year capacity building project (UNSC, 1 February 2007, p.8). During 2007, the Provedor's IDP monitoring activities were scaled down due to lack of funds (OCHA, 17 August 2007, p. 2).

Despite the government and the UN's optimism in the early months that people would start returning as soon as the international armed force restored security, by the end of the year it became clear that this would not be the case and that it would take more than promises of safe returns or threats to cut off assistance to convince people to return (Kammen & Hayati, March 2007, p.2). Acknowledging that more efforts were needed to assist IDPs return or relocate, in particular those living in "critical" or "high-risk" camps, an operational plan was prepared to support durable return and reintegration, and a comprehensive assistance package consisting of food, shelter, construction material and transport was offered to IDPs agreeing to leave (MTRC, 24 November 2006, pp.1-3).

Overall, the government's return and reintegration strategy has proved unsuccessful because of its incapacity to address key obstacles to return, in particular protection concerns and land and property disputes in areas of return. As of August 2007, more than a year after an estimated 5,300 houses were either destroyed or damaged by the unrest of April and May 2006, no government housing reconstruction program has started in Dili or in the districts with only one pilot rehabilitation project underway, implemented by the Norwegian Refugee Council (NRC, 17 July 2007).

International response

International response

From 1999 to 2002, the United Nations Transitional Administration in East Timor (UNTAET) exercised legislative and executive authority while building domestic capacity, until Timor-Leste was declared independent on 20 May 2002. UN support continued until May 2006, first through the UN Mission of Support in East Timor (UNMISSET) and from April 2005 through the UN Office for Timor-Leste (UNOTIL).

Following Timor-Leste government's call for military assistance to restore law and order at the end of May 2006, a contingent of Australian, Portuguese and Malaysian soldiers arrived in Timor-Leste. By August 2006, a 3,000-strong military and police force led by Australia was in control of much of the country. On 25 August, the United Nations Integrated Mission in Timor-Leste (UNMIT) was established through resolution 1704, but a divided UN Security Council decided not to provide UNMIT with a military component to complement or replace the Australian-led force, something the Timor-Leste government had expressed preference for on several occasions (UNSC, October 2006).

The humanitarian response has been left for the United Nations to coordinate. Two successive Consolidated Appeal Processes (CAPs) have requested a total of \$58 million, and the response by donors was positive in 2006, but has been mixed so far in 2007 with critical sectors such as health, water and sanitation and protection remaining largely underfunded (OCHA, 29 August 2007). Australia, the European Union and the United States have been the main donors. The Common Humanitarian Action Plan (CHAP) developed in 2007 prioritised programmes to address the humanitarian needs of IDPs and the vulnerable population, to move from emergency to early recovery and to support the sustainable return, resettlement and reintegration of the displaced (OCHA, 17 July 2007, p.1).

The existing coordination structures informally follow the cluster leadership arrangements. A UN Inter-Agency Humanitarian Operational Plan has been established to provide an appropriate and effective response to new crises in partnership with the government's MTRC and NDMO (OCHA,

17 July 2007, p.9). However, the departure of UNHCR due to lack of funds in July 2007 has left a potential protection gap in a country with extremely limited capacity in the field. With the coordination of protection activities now left to UNMIT's Human Rights Unit with the support of IOM and UNICEF, the absence of a clear lead agency with a protection mandate for the displaced is raising concerns that protection issues may not get the attention they deserve (PWG, 2 July 2007, p. 1). Addressing the security concerns of the displaced is central to finding durable solutions to the displacement crisis. The fact that most IDPs originate from the east, where the FRETILIN party enjoys most support, further heightens the need for a strong and independent agency to advocate for the protection needs of the displaced and monitor human rights abuses, in particular in areas of potential return or relocation. Moreover, with the UN Special Representative of the Secretary General also acting as the humanitarian coordinator, there are risks that protection issues will be lost within the broader political objective of the UNMIT.

In parallel to its humanitarian plan, the international community is also involved in an International Compact recovery and development programme, which provides a common platform for coordinating international assistance in key areas such as the public and security sector reform, justice, governance, the rule of law, youth employment and human resource development (Government of Timor-Leste, 17 May 2007). In early 2006, UNDP's National Human Development Report drew attention to Timor-Leste's worsening poverty levels, and urged the government to ensure that growth and economic measures first target the agricultural sector, which employs three-quarters of the country's workforce (UNDP, January 2006, p.3).

Details on the protection arrangements:

"There is a wide range of roles for protection actors to play in assisting the Government in meeting its obligations to address the protection of IDPs. The Protection Working Group, chaired by the Ministry of Labour and Community Reinsertion (MTRC), and its sub-groups on Child Protection, SGBV and Women's Issues, will remain the primary fora for coordinating the protection response to the IDP situation in Timor-Leste. The Protection Sector will continue to advocate for a collaborative response to the IDP situation, endeavouring to ensure that the rights and basic needs of all displaced are respected, including those in the Districts, and that all planning in relation to the IDP situation is driven by the participation of, and the priorities set by, the displaced and other conflict-affected populations. The United Nations Guiding Principles on Internal Displacement and other relevant norms, standards and principles of international human rights and humanitarian law shall continue to provide the basis for all protection initiatives in Timor-Leste.

Protection actors, including outsourced experts where appropriate, will remain heavily engaged at all levels of the process of drafting a strategic framework which, as outlined above, has as its focus the creation of conditions for durable solutions to the country's IDP crisis. Without a framework within which all actors, in particular those in the political, judicial, security, civil society and humanitarian sectors can coordinate initiatives aimed at clearing the way for durable solutions, moving the IDP situation forward from the present state of crisis will remain piecemeal and elusive.

As of June 2007, the United Nations High Commissioner for Refugees (UNHCR) will complete the pilot community peace projects and will hand over the IDP protection coordination activities to Office of the United Nations High Commissioner for Human Rights (OHCHR) and UNMIT hand in hand with the MTRC. The field activities will be conducted by UNICEF, UNMIT and the NRC. As of 1 July, UNHCR will phase-out its international presence and current role and return to its pre-emergency national presence and limited operating modality, focusing essentially on asylum and refugee issues." (OCHA, 17 July 2007, p. 29)

UN agencies assisting IDPs

UN agencies involved in the response to the displacement crisis include: the World Food Programme (WFP), the International Organization for Migration (IOM), the Office of the , the World Health Organization (WHO), UNFPA and UNICEF. The Food and Agriculture Organization of the United Nations (FAO), UNDP and ILO provide support for the set-up of livelihoods and cash-for-work activities, particularly aimed at neighbourhoods of Dili affected by the crisis. UNDP also conducts assessment surveys of damaged houses in order to better plan the rehabilitation and reconstruction phase. (UNSC, 1 February 2007, p. 16)

NGOs involved in the assistance to IDPs

CARE: "CARE supports camp managers in 12 IDP camps in Dili to liaise with the Government and sector working groups responding to the needs of IDPs. The 12 camps house around 20,000 people (as reported by camp managers). CARE has three Site Liaison Support (SLS) teams allocated to four camps each. Each team visits each allocated camp every day to conduct a daily checklist highlighting key sectoral concerns such as water and sanitation, food, health, protection/security, shelter etc. CARE conducts daily monitoring checklists in CARE-supported camps and facilitates the strengthening of camp committees, to ensure stronger IDP representation and sectoral responsibilities, to facilitate coordination between SLS and camp management. CARE assists Oxfam with water deliveries to three IDP camps: Jardim, Central Pharmacy and Becora Church and provides monthly phone credit to all camp managers to facilitate communication. Care also distributed toilet cleaning kits and conducted health surveillance in their camps CARE provided lamps and spare batteries to Camp Committees to assist with security." (OCHA, 29 June 2007)

CONCERN: Concern provides an emergency and a development response in Dili, Lautem and Manufahi for IDPs, host families and vulnerable communities. In Dili, Concern acts as Site Liaison Support (SLS) at the National Hospital, Obrigado Barracks, Dominican Sisters (Bidau), and Prime Minister's House camps. As SLS, Concern cooperates closely with the IOM mobile team in provide support for IDPs through coordination with government, sectoral working groups and in the ongoing roll-out of the Operational Plan.

In the districts, Concern is providing assistance in the following sectors:

- emergency : food distributions to vulnerable populations
- nutrition: MCH Emergency Nutrition and Education programme targeted at improving the nutritional status of pregnant and lactating mothers and moderately malnourished children under five years
- food security: four-year community-based food security programme that targets 3,000 households in nine rural sub-districts of Manufahi and Lautem
- livelihoods: PROSPER programme (2006-10) operates across both Lautem and Manufahi targeting 3,000 households in nine rural sub-districts where community learning sites have been identified by communities in consultation with all levels of local government. (OCHA, 16 January 2007, p. 76)

CRS: CRS is currently the SLS for six camps in Dili and eleven camps in Baucau. CRS provides regular monitoring, liaison with technical support agencies and general support to camp management. CRS provides direct assistance in the general upkeep and maintenance of camp facilities, distribution of hygiene kits, health/hygiene promotion and preventive services (larvaciding, water testing), and enhancement of basic security. CRS is also responsible for provision of health/hygiene promotion at Airport camp and the provision of hygiene kits for eleven IOM camps, with a total population of approximately 22,000. (OCHA, 29 June 2007)

Oxfam: In Dili, Oxfam is involved in providing water, sanitation and hygiene/health promotion to IDPs camp. In partnership with national NGOs and the government, Oxfam is also supporting the safe and sustainable return of IDPs by:

Facilitating effective dialogue, engaging youth groups and information exchange to affected communities and IDP camps;

Supporting human rights monitoring and promotion of human rights to mitigate conflict;

Providing input into the government strategy for the return of IDPs;

Facilitating training and building skills of Oxfam staff and partners by applying peace-building and Rights-based approach to project analysis, design and implementation.

Outside Dili (national level, Oecusse, Covalima and Liquica districts), Oxfam is involved in community health and nutrition activities, which are part of a longer-term development programming as well as fod security and disaster prepardness (OCHA, 16 January 2007, p. 79).

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