



Submission No 2

## **Inquiry into Australia's Relationship with Timor-Leste**

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Joint Standing Committee on Foreign Affairs, Defence and Trade  
*Foreign Affairs Sub-Committee*

**Submission to:**

**The Joint Standing Committee on Foreign Affairs,  
Defence and Trade**

**Regarding:**

**The Inquiry into Australia's Relationship with  
Timor-Leste**

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This submission drafted by forensic anthropologist Blau and political scientist Fernandes is directed at Items 1, 2, 4 and 5 of the Inquiry's Terms of Reference.<sup>1</sup>

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<sup>1</sup> Bilateral relations at the parliamentary and government levels; aid, including support with governance issues; cultural, educational and scientific relations and exchanges; and people to people links.

Australia's official relations with East Timor<sup>2</sup> since its independence have been characterized by a cyclical pattern of action which can be summarized as: cautious optimism, a decision to reduce Australia's involvement in security and development, the recurrence of events that showed the optimism to be premature, a decision to renew Australia's commitment, then cautious optimism once again. Thus, although Australia committed approximately 1,600 personnel to the United Nations Transitional Administration in East Timor (UNTAET) from February 2000 onwards, it withdrew most of its troops abruptly from the border with West Timor (in Indonesia) soon after independence was restored in May 2002. From the 18<sup>th</sup> August 2003, after further optimistic declarations of safety, Australia reduced its personnel until there were only approximately 100 troops as part of the United Nations Mission in Support of East Timor (UNMISSET). Meanwhile, social and political tensions accumulated outside the gaze of many observers in the post-2003 period.

In 2006, conflict within elements of the East Timorese military and between the military and police force led to general violence and a breakdown of law and order. The government of East Timor subsequently requested international assistance. Australian troops once again deployed to East Timor as part of an International Stabilisation Force (ISF). At its peak in 2006, the ISF had approximately 3,000 Australian Defence Force (ADF) personnel, although these were later decreased to 400 ADF personnel out of a total ISF strength of 475.

Following the successful completion of parliamentary and presidential elections in both 2007 and 2012, there is once again a sense of cautious optimism among some commentators and officials about the strength of East Timor's democracy. As Australia's peacekeeping mission ends and Australia's involvement is being reduced, we agree that there is much to be optimistic about. But there are also reasons to suspect that the optimism may be premature.

### Democratic Breakdown and National Identity

One of the insights of political science, based on 40 years of evidence concerning transitions between democracy and authoritarianism, is that the probability of democratic breakdown is eighteen times more likely than the probability of a transition to democracy when gross domestic product (GDP) per capita is less than \$2,000. In addition, the probability of democratic breakdown is twice as likely as a transition to democracy when a country's GDP per capita is \$4,000 (in 1985 purchasing power parity - PPP US\$) (Figure 1).

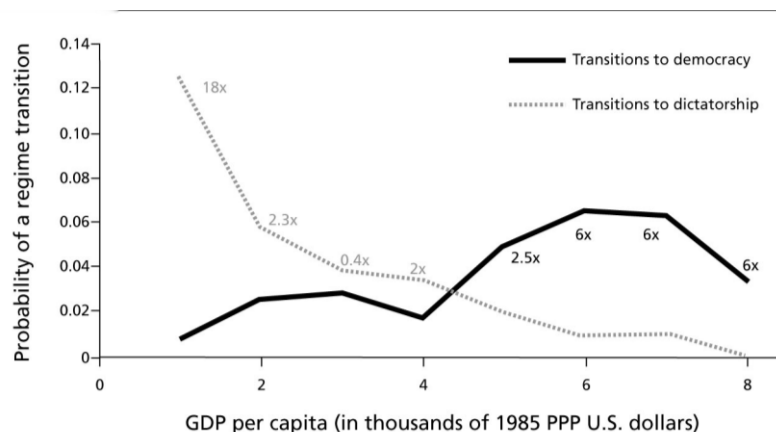


Figure 1: Probability of transitions to democracy and dictatorship as a function of income (1950-1990)<sup>3</sup>

<sup>2</sup> We use the conventional English name of "East Timor" rather than "Timor-Leste" in our submission, except where otherwise required.

<sup>3</sup> Figure 1 is from Clark, W, Golder, M & S. Golder, 2012 (2<sup>nd</sup> ed.). *Principles of Comparative Politics*. Washington, DC: CQ Press. Data adapted from Przeworski, A., Alvarez, M., Cheibub, J. & F. Limongi, 2000. *Democracy and*

East Timor’s 2010 PPP converted GDP per capita is \$1371 – within the zone of high probability of democratic breakdown despite having held parliamentary and presidential elections in 2007 and 2012. There remains a need for caution in any analysis of its future prospects.<sup>4</sup>

Another insight from political science is that states that rely primarily on fixed assets such as oil and natural gas are notoriously vulnerable to democratic breakdown, authoritarian rule, poor governance and civil conflict.<sup>5</sup> Such states can afford to be more predatory, dictatorial, and less responsive to their citizenry than their counterparts in resource-poor states because revenue from natural resources allows rulers to buy support without raising taxes or providing greater representation and accountability. By contrast, a representative government is more likely to survive when the rulers depend on a relatively large number of people holding liquid or mobile assets rather than on fixed assets such as oil or natural gas. In East Timor today, as much as 65% of GDP and 95% of state income are derived from exporting non-renewable oil and gas and from Petroleum Fund investments. East Timor has very little economic activity in the absence of oil. Only South Sudan is more dependent on oil and gas than East Timor.<sup>6</sup>

Another challenge facing East Timor is its exceptionally young population structure (Figure 2). Today about 85% of the population is under 45 years of age. Approximately four out of every five East Timorese was born on or after 1968. Currently, 64% are under the age of 25. Approximately three out of every five East Timorese were not even teenagers when Indonesian forces departed. They therefore have little or no direct experience of the occupation.

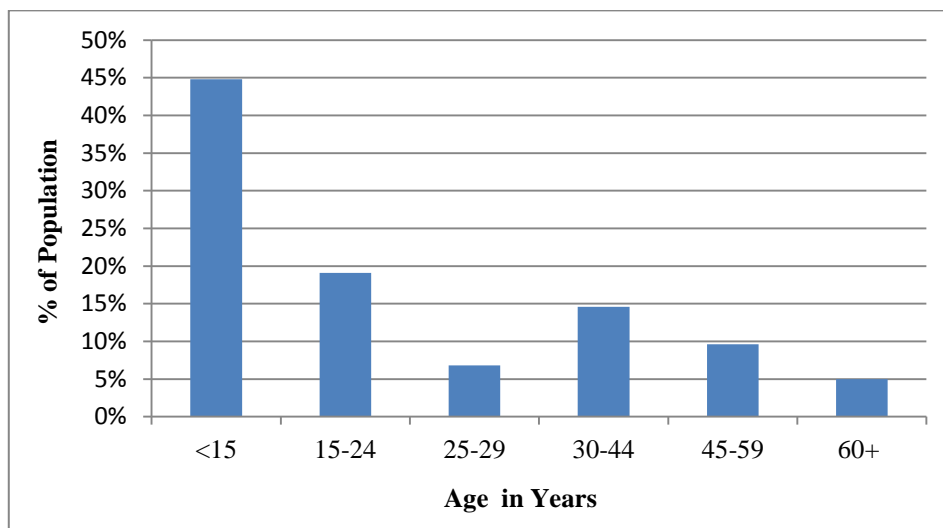


Figure 2: Population structure in East Timor (2012 Figures)<sup>7</sup>

*Development: Political Institutions and Well-Being in the World, 1950-1990.* New York: Cambridge University Press. NB: Przeworski *et al.*, 2000 used data from the Penn World Tables (PWT). As PWT collect more data as time progresses, they change the relevant year of comparison. The latest edition of PWT is 7.1 and can be downloaded at <https://pwt.sas.upenn.edu/>. The reference year now for PPPs is 2005. In effect, PWT provide cross-nationally comparable data on GDP p.c. for 189 countries from 1950-2010 using 2005 as the reference year.

<sup>4</sup> Data extracted from Penn World Tables (see footnote above). Purchasing Power Parity Converted GDP per capita, average GEKS-CPDW, in current prices, in International dollars.

<sup>5</sup> Collier, P. & A. Hoeffler, 2005. Resource rents, governance, and conflict. *Journal of Conflict Resolution* 49(4): 625-633; Dunning, T. 2005. Resource dependence, economic performance, and political stability. *Journal of Conflict Resolution* 49(4): 451-482; Humphreys, M. 2005. Natural resources, conflict, and conflict resolution: Uncovering the mechanisms. *Journal of Conflict Resolution* 49(4): 508-37.

<sup>6</sup> Timor-Leste Institute for Development Monitoring and Analysis, Submission to Committees C and D. National Parliament, Democratic Republic of Timor-Leste, Regarding the Proposed Timor-Leste General State Budget for 2013. 18<sup>th</sup> January 2013. Accessed 27<sup>th</sup> February 2013.

<http://www.laohamutuk.org/econ/OGE13/LHSubCom18Jan2013en.pdf>

<sup>7</sup> 2012 figures based on data from 2010 National Census of East Timor, Direcção Nacional de Estatística, East Timor.

The challenges associated with having a very young population will be exacerbated by 2020. For the period 2005–2010, it was estimated that East Timor had one of the world’s highest fertility rates (6.53 babies per woman) (compared to the world average total fertility rate for the same period which is estimated at 2.52 babies per woman).<sup>8</sup> By 2020, the total population of East Timor is projected to be around 1.61 million. Predictions indicate East Timor will continue to have a very young population structure: the population aged between 0 and 14 years is projected to constitute almost 45% of the total population by 2020. The median age is projected to be only 17.78 years by 2020.<sup>9</sup>

If, following the 18<sup>th</sup> century statesman and philosopher, Edmund Burke, a nation’s life is a partnership between the living, the dead and the unborn, consider the inter-generational experiences of what it means to be East Timorese today. Those who were born in the 1940s and early 1950s regarded Portuguese as the administrative language and the Lusophone world as a vital part of the international arena. By contrast, Bahasa Indonesia was the administrative language of the generation that grew up under the Indonesian occupation. They used Portuguese in their formal correspondence with resistance leaders but Tetum and Indonesian in their daily lives. A nation is a political community of people who understand themselves to have common interests and world views and who usually share a common language. However, since three out of every five East Timorese were not even teenagers when Indonesian forces departed, they have entirely different conceptions of national identity and what it means to be East Timorese.

The link between national identity and social resilience became apparent in the crisis of 2006, when the East Timorese state came close to collapse under the weight of internal divisions, the most important of which were linguistic and geographic. The impact of the 2006 crisis became evident in a survey of East Timorese tertiary student attitudes to national identity measured in 2002 and 2007: there were noticeable declines in these students’ pride in East Timorese history (81% in 2002 but only 76% in 2007) and democracy (51% in 2002 but only 36% in 2007).<sup>10</sup> The building of a common national identity will be absolutely vital if East Timor is to become resilient enough to withstand the vast challenges it faces.

### **A Missing Persons Identification Centre**

In this submission we therefore suggest that a crucial way of strengthening a common national identity, a genuine “partnership between the living, the dead and the unborn”, is to fund a Missing Persons Identification Centre. Such a Centre would advocate for and support the attempted location and identification of people who went missing during the 24-year struggle for independence (and are presumed deceased).

Dr Sarah Staveteig (a demographer at the University of California, Berkeley) concluded that ‘a conservative upper-bound estimate’ of 204,000 East Timorese died during the 24-year occupation.<sup>11</sup> There is less clarity as to the number of East Timorese who went missing during this time, and whose deaths have never been finally confirmed by their families. One estimate places the number of missing persons in the “tens of thousands”.<sup>12</sup>

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<sup>8</sup> Australian Bureau of Statistics, *2012 Yearbook of Australia*, p: 267. See also the *United Nations Population Division’s World Population Prospects: The 2010 Revision*.

<sup>9</sup> Saikia, U & M. Hosgelen, 2010. Timor-Leste’s demographic destiny and its implications for the health sector by 2020. *Journal of Population Research* 27: 133–146.

<sup>10</sup> Leach, M. 2008. Surveying East Timorese tertiary student attitudes to national identity: 2002-2007. *South East Asia Research* 16(3): 405-431.

<sup>11</sup> Staveteig, S. 2007. How many persons in East Timor went ‘missing’ during the Indonesian occupation? Results from indirect estimates. *Interim Report IR-07-003 International Institute for Applied Systems Analysis (IIASA)*, Luxemburg.

<sup>12</sup> Robins, S. 2010. *An Assessment of the Needs of the Families of the Missing in Timor-Leste*. York: PRDU. p. 5.

It has been well noted that respectful treatment of the dead (including identification) is a fundamental human right:

- “Show me the manner in which a nation cares for its dead, and I will measure with mathematical exactness, the tender mercies of its people, their loyalty to high ideals, and their regard for the laws of the land”.<sup>13</sup>
- “It is a hallmark of our civilization that we regard it as an affront, an indignity, an abrogation of our responsibilities that a person could live amongst us, die and be buried without a name”.<sup>14</sup>

The lack of information and clarity on the fate of missing persons presumed deceased has significant, political, psychological, and legal ramifications for relatives and the community. In facilitating professional and timely identifications for humanitarian purposes, a missing persons identification centre will play a fundamental role in providing closure for many families in East Timor, and in doing so facilitate the East Timorese state to implement aspects of the recommendations made by the Commission for Reception, Truth and Reconciliation in East Timor (CAVR) and the Commission on Truth and Friendship of East Timor and Indonesia (CTF).

The concept of a dedicated centre established for humanitarian identification of deceased individuals following periods of political, ethnic and or religious violence is not novel. There are numerous examples of similar successful identification centres around the world. These include:

- Argentina: <http://eaaf.typepad.com/identifications/>;
- Cyprus: Committee on Missing Persons in Cyprus: [http://www.cmp-cyprus.org/nqcontent.cfm?a\\_id=1341](http://www.cmp-cyprus.org/nqcontent.cfm?a_id=1341);
- Bosnia and Herzegovina: Missing Persons Institute (<http://www.ic-mp.org/about-icmp/>);
- Iraq: National Centre for Missing and Disappeared Persons <http://www.ic-mp.org/icmp-worldwide/middle-east/iraq/>, and
- Libya: Libyan Identification Center (LIC) <http://www.ic-mp.org/press-releases/icmp-libya-sign-agreement/>

### **Current Identification of Missing Persons in East Timor**

Over the last five years, the International Forensic Team (IFT)<sup>15</sup> in collaboration with staff from the Policia Nacional de Timor-Leste (PNTL) Forensic Unit and Forensic Department of the Hospital Nacionale Guido Valladares (HNGV) have worked with families with missing relatives to attempt to locate, recover and identify individuals to return to their families. This work includes the collection and validation of information about alleged burial sites, typically through physical investigation and where necessary, the exhumation and attempted identification of human remains. The IFT have worked on a number of cases including the 12<sup>th</sup> November 1991 disappearances, the exclusion of remains believed to be those of Nicolau Lobato, cases from Viqueque, Los Palos and more recently the cases recovered from Tasi Tolu prior to commercial development. We have been able to provide many families information about the fate of their relatives and the opportunity to facilitate a dignified burial.

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<sup>13</sup> Gladstone, W.E. 1938. Successful cemetery advertising. *The American Cemetery*. Unverified; p. 13.

<sup>14</sup> State Coroner Hal Hallenstein quoted in Cordner, S. 1998. Foreword, in: J.G. Clement & D.L. Ranson (eds.). *Craniofacial Identification in Forensic Medicine*. London: Edward Arnold. p. vii.

<sup>15</sup> The International Forensic Team (IFT) is formed through collaboration between the Victorian Institute of Forensic Medicine (VIFM), a statutory body created by the Coroners Act (1985) in the State of Victoria in Australia, and the Argentine Forensic Anthropology Team, Equipo Argentino de Antropologia Forense (EAAF), a non-governmental organization existing under the laws of the Republic of Argentina.

As a result of the strong collaboration between the PNTL Forensic Unit, HNGV and IFT and the subsequent information about identifications we are able to provide to families with missing relatives, there are increasing numbers of cases being brought to our attention both by individual families and PNTL. The success of this collaboration is also demonstrated by the ongoing communication between the IFT and the International Committee of the Red Cross (ICRC) who have been sharing relevant information with the IFT in order to aid timely identifications.

While there has been a close working relationship between a number of Government (e.g., Ministry of Social Solidarity, Office of the General Prosecutor and Ministry of Justice) and non-Government (e.g., the 12<sup>th</sup> November Committee)<sup>16</sup> organisations to undertake this important work, it is increasingly apparent that the effectiveness of the work and benefits for the families would be greatly enhanced through the creation of a dedicated independent centre for collecting, analysing and storing human remains and clothing and/or property.

### **The Implementation of a Missing Persons Identification Centre**

A Missing Persons Identification Centre in East Timor would provide a multi-purpose self-contained space for ante- and post-mortem data collection and analysis to aid human identification. While the initial remit of the centre will be to focus on past missing person cases, the facility would also have the resources to deal with contemporary and future forensic cases. It would provide specialized skills and training to East Timorese to ultimately manage and run the program independently of international staff.

The Centre might be envisaged as a not-for-profit institution, coordinated and run by East Timorese staff who are mentored and initially trained by IFT staff and other relevant organizations.

Alternatively, the Centre might be established under the Ministry of Health, through the Hospital Nazionale Guido Valladares. There is space at the rear of the newly developed mortuary facilities where such a Centre could be constructed. It would have a dedicated three roomed building: the first for reception, where families can come to provide information about their missing loved ones in a safe, neutral and comfortable environment; the second as a laboratory for forensic anthropological examination; the third as a secure facility to store the remains prior to formal identification and eventual release back to the families. Over a three year period, an amount of only less than \$US400,000 would be required to establish and run the Centre. A detailed breakdown of the three year budget is available on request.

The creation of a missing persons identification centre would also provide a highly visible signal of Australian goodwill towards East Timor. Similar visible signs have been provided, for example, by China through its design and development of significant buildings such as the Presidential Palace, the foreign ministry building, defence headquarters and military residential quarters.

While the Committee will no doubt receive many submissions about worthwhile projects that should be funded, we believe that without a common national identity East Timor will be unable to achieve the resilience necessary to progress and function in a difficult world. A Missing Persons Identification Centre will contribute to this project of national resilience by building a genuine “partnership between the living, the dead and the unborn”. Accordingly, we urge the Committee to recommend that the Australian government fund a Missing Persons Identification Centre. We are available to address the Committee in person.

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<sup>16</sup> The 12<sup>th</sup> November Committee is an East Timorese NGO formed on 12<sup>th</sup> November 2008 by survivors of the Santa Cruz Massacre.

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